United Nations S/PV.6838

Security Council

Sixty-seventh year

Provisional

6838th meeting
Wednesday, 19 September 2012, 10 a.m.
New York

President:	Mr. Wittig	(Germany)
Members:	Azerbaijan	Mr. Musayev
	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Araud
	Guatemala	Mr. Briz Gutiérrez
	India	Mr. Manjeev Singh Puri
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Karev
	South Africa	Ms. Mxakato-Diseko
	Togo	Mr. Menan
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. DeLaurentis

Agenda

Children and armed conflict

Increased accountability for violations and abuses committed against children

Report of the Secretary-General on children and armed conflict (S/2012/261)

Letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (S/2012/685)

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12-51510 (E)

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The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Children and armed conflict

Increased accountability for violations and abuses committed against children

Report of the Secretary-General on children and armed conflict (S/2012/261)

Letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (S/2012/685)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Afghanistan, Argentina, Australia, Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Brazil, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Estonia, Finland, Greece, Iraq, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Malaysia, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, the Philippines, the Republic of Korea, Slovenia, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, Thailand, Uruguay and Viet Nam to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Ms. Leila Zerrougui, Special Representative of the Secretary-General for Children and Armed Conflict; Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations; and Mr. Anthony Lake, Executive Director of UNICEF, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. David Tolbert, President of the International Center for Transitional Justice, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2012/713, which contains the text of a draft resolution submitted by Australia, Austria, Belgium, Canada, Costa Rica, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Portugal, the Republic of Korea, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of Council members to documents S/2012/261 and S/2012/685, containing, respectively, the report of the Secretary-General on children and armed conflict and a letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General, transmitting a concept paper on the item under consideration.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it.

I shall now put the draft resolution to the vote.

A vote was taken by show of hands.

In favour:

Colombia, France, Germany, Guatemala, India, Morocco, Portugal, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

Azerbaijan, China, Pakistan, Russian Federation

The President: The draft resolution received 11 votes in favour, none against and four abstentions. The draft resolution has been adopted as resolution 2068 (2012).

I now give the floor to those members of the Security Council who wish to make statements after the voting on resolution 2068 (2012).

Mr. Li Baodong (China) (*spoke in Chinese*): China abstained on the resolution that was put to a vote just now. Children and armed conflict is an important item for the Security Council. China has taken a constructive approach from the very beginning in the consultations on the resolution. We have repeatedly emphasized that all sides of the Council should be

patient in consultations and properly address the major concerns relating to the resolution so as to make sure that a consensus could be reached on the resolution and that the Security Council could have a unified voice on the question of protecting children. However, the resolution failed to accommodate the reasonable concerns of Council members, and it was hastily put to a vote without adequate consultation.

China found it difficult to support a resolution that continues to give rise to serious differences among the members of the Council. In accordance with the Charter of the United Nations and the relevant resolutions of the Council, the Security Council should focus on the protection of children in situations of armed conflict. The resolution must not be willfully interpreted to equate incidents of terrorist attack in Pakistan, for instance, to armed conflict, which would exceed the mandate of the Security Council. Pakistan is at the forefront of the international fight against terrorism and has made important contributions to cooperation in the international fight against terrorism. The international community should provide more support and help to Pakistan's efforts in counter-terrorism rather than creating difficulties and obstacles.

Mr. Musayev (Azerbaijan): Azerbaijan's determination with regard to the protection of civilians, including children, in situations of armed conflict is based on my country's keen interest in contributing to the protection of human rights and fundamental freedoms and to the achievement of sustainable peace and development. That interest also stems from our practical experience in addressing the devastating consequences of serious violations of international humanitarian and human rights law committed during the war of aggression unleashed against my country.

Azerbaijan has strongly and consistently supported international efforts aimed at ensuring more effective protection for the rights of children and improving the situation of children affected by armed conflict. We welcome the appointment of the new Special Representative of the Secretary-General for Children and Armed Conflict. We look forward to close cooperation with the Special Representative and stand ready to contribute to her work. We have always proceeded from the strong belief that international protection efforts must be free of selectivity and must address all situations of armed conflict, including those of a protracted nature and prolonged impact on children, in particular.

In that regard, our delegation considers it important that the mandate and the methodology of work of the Special Representative should clearly reflect that understanding so as to ensure the comprehensive protection of children in all situations of armed conflict without distinction. However, resolution 2068 (2012), which we have just adopted, does not fully accommodate that approach in a more explicit and unambiguous manner, and thus has not provided the Special Representative with the appropriate guidance to that effect.

The primary objective and purpose of the resolution, as we see them, are to send a clear and unified message, not to introduce additional elements of uncertainty. We regret that the Council was unable to adopt a resolution on such an important issue unanimously. We hope that the differences among its members will in no way damage protection efforts in regard to children affected by armed conflict.

Mr. Osorio (Colombia) (*spoke in Spanish*): The effective protection of children affected by armed conflict is the primary objective that should influence Security Council decisions on that issue. In that regard, we support the work of the Special Representative of the Secretary-General for Children and Armed Conflict, and welcome the appointment of Ms. Leila Zerrougui.

We have a considerable body of Council provisions and decisions on that issue, whose effectiveness and correct implementation should be assessed before we broaden that legislative framework. What is essential is to strengthen and increase assistance and national capacity-building, as well as close cooperation with States, in order to achieve the effective protection of children affected by conflict.

Colombia voted in favour of resolution 2068 (2012), but warns that there is a clear difference between the incidents and situations that should be considered. The Council should concern itself with situations in which armed conflicts indeed threaten international peace and security and are therefore part of its agenda. We believe that the resolution which we have just supported again fails in that regard. The resolution lacks a reference to the need to restrict the content of reports of the Secretary-General to the mandate entrusted by the Security Council, which is clearly limited to situations and contexts provided for in resolutions 1612 (2005) and 1882 (2009) and 1998 (2011).

Colombia supports open consultation processes that provide for the participation of all members and the opportunity to address the concerns of all parties involved through the genuine pursuit of consensus. That helps to enrich the debate and the consideration of possible compromise solutions to opposing positions and ensures a transparent process.

The President: I now give the floor to Ms. Zerrougui.

Ms. Zerrougui (*spoke in French*): It is an honour for me to address the Security Council for the first time in my capacity as Special Representative of the Secretary-General for Children and Armed Conflict. Members may rest assured that I appreciate the responsibility entrusted to me and the challenges that await us. In that regard, I pay tribute to my predecessor, Ms. Radhika Coomaraswamy, for her exemplary work during the past six years and for the progress achieved made under her guidance.

I would also like to thank Germany for convening this open debate. The efforts of the German chairmanship of the Working Group on Children and Armed Conflict over the past two years made it possible to preserve a cooperative and open spirit. In that regard, I welcome the personnel commitment and the resolve of Ambassador Wittig and his team.

(*spoke in English*)

Before the Council is the eleventh report of the Secretary-General on children and armed conflict (S/2012/261). Since the last debate (see S/PV.6589), there has been tremendous progress — more than we have seen in previous years. However, violations continue to be committed against children, the number of persistent perpetrators has increased, and many new challenges have arisen.

With regard to dialogue with parties to conflict, we have seen a number of positive developments. Indeed, eight years after the Council's unanimous adoption of resolution 1539 (2004), action plans have generally been accepted by listed State and non-State parties as a unique tool that can successfully lead to de-listing. In 2011 alone, two parties — the Unified Communist Party of Nepal-Maoist in Nepal and the Tamil Makkal Viduthalai Pulikal in Sri Lanka — were removed from the annexes after having successfully implemented all concrete and time-bound activities spelled out in their action plans. That brings the total number of de-listed parties to nine.

However, it is not just about adding or removing a party from a list. It is about children, first and foremost about releasing children. Since the framework was put in place, tens of thousands of children have been separated from armed forces and groups and reintegrated into their communities. Indeed, actions plans are not only a process. They are a unique tool, mandated by the Council, to bring parties into compliance and to stop violations against children.

In 2011, action plans were signed in Afghanistan, the Central African Republic and Chad and, this year, in South Sudan, Myanmar and Somalia, where the Transitional Federal Government signed the first action plan on killing and maiming of children in August. To date, 20 action plans have been completed or are in the process of being implemented. It is especially heartening to note that practically all Government forces listed for the recruitment and use of children have now either signed an action plan or are negotiating one.

I am also happy to report to the Council today that the action plan with the Government of the Democratic Republic of the Congo has almost been finalized and is expected to be signed in the coming weeks. That action plan will include activities to end the recruitment and use of children by the security forces of the Democratic Republic of the Congo and, in accordance with resolution 1882 (2009), measures to prevent and halt sexual violence against children.

The continued mainstreaming of the children and armed conflict agenda into the United Nations is central to my Office's work. We are currently supporting the Department of Peacekeeping Operations and the Department of Political Affairs in their efforts to update the child protection policy for United Nations field missions. That effort is essential. I would like to emphasize that maintaining sufficient and dedicated child protection capacities in peacekeeping and special political missions is key to the implementation of the monitoring and reporting mechanism, as well as the successful conduct of dialogue with parties to conflict.

We also continue to work hand in hand with UNICEF to enhance child protection capacities in conflict-affected areas. Beyond our traditional colleagues, new partners are also joining our efforts, especially since the adoption of resolution 1998 (2011). My Office is currently working with UNESCO and has approached the World Health Organization to enhance

our monitoring of attacks against schools and hospitals. We are also increasing our links with the International Labour Organization, especially in relation to the economic reintegration of children formerly associated with armed forces and groups. In addition, we continue to enhance our cooperation with partners on sexual violence against children to further our implementation of resolution 1882 (2009). In that regard, I look forward to working closely with Under-Secretary-General Bachelet and Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Hawa Bangura.

My Office has also been working to develop and strengthen partnerships with regional political and military organizations including the European Union, the African Union and NATO. That has proven useful, in particular in the areas of training, awareness-raising and the conduct of military operations. With that experience in mind, I will now look into working more closely with the League of Arab States, the Organization of Islamic Cooperation and the Association of Southeast Asian Nations.

Though much positive progress has been achieved, our work is hardly accomplished. In this year's report, 52 armed forces and groups are listed in the annexes. Forty-two of those are non-State armed groups and 10 are Government forces. At the request of the Council and as a follow-up to resolution 1998 (2011), the Secretary-General has listed for the first time five parties to conflict responsible for attacks on schools and hospitals.

Of the 52 parties listed, 32 persistent perpetrators have been listed for five years or more. The majority are non-State actors operating in situations where Governments may have the willingness, but not always the capacities to take measures. That is where the Council can play a critical role.

The cost of inaction has become too high. It is time to show the Council's determination to act. In follow-up to resolution 1998 (2011), my predecessor requested Ambassador De La Sablière, former French Permanent Representative to the United Nations, to prepare a comprehensive report on the way forward. The paper proposes a menu of options that could be considered by the Council against those persistent perpetrators. Those include increased tailored political engagement of the Council, strengthened accountability measures and targeted measures, where necessary. That could be done in an incremental manner, starting with those individuals in situations for which a sanctions committee is already in place. It would send a strong signal that the resolutions of the Council are not only words on paper and that vigorous action can be taken when they are not implemented.

Last year, we witnessed a tremendous change in the international environment. That created new opportunities but also new challenges for the United Nations and for this agenda in particular. The situations in Libya, Syria and Mali, for example, pose new threats for children that the Council, along with my Office and its partners, must address.

The situation of children in Syria is dire. My staff and other United Nations colleagues have documented Government attacks on school, children being denied access to hospitals, girls and boys suffering and dying in bombardments of their neighbourhoods and also being subject to torture, including sexual violence, sometimes for weeks. Since the publication of the report before the Council, my Office has also gathered evidence on violations committed by non-State armed groups in Syria. We have received information concerning indiscriminate bomb attacks that have killed children in Damascus and other areas, and continue to document incidents committed by armed actors, such as the Free Syrian Army, who may have children associated with their forces.

I have met with the Syrian Permanent Representative with regard to our concerns. I have ensured the Ambassador that I am ready to establish an open dialogue with the Syrian authorities as a sign of good faith towards their moral and legal obligations. In that regard, I have also asked the Ambassador to transmit my call to the Syrian armed forces to evacuate schools as a matter of utmost priority.

In Libya, the localized violence and continued presence of so-called armed brigades threaten the lives of children, long after the generalized violence of 2011 came to an end. It remains of concern that incidents of the association of children with armed groups are still being reported. My Office has been in close contact with the Libyan Mission in New York to strategize about how best to address the remaining threats to children in the Libyan context.

Since its inception in March 2012, the crisis in Mali has been characterized by grave violations against children. Hundreds of cases of recruitment and use of

children by the Mouvement national pour la libération de l'Azawad (MNLA), as well as by Ansar Dine and the Movement for Unity and Jihad in West Africa, have been reported. Particularly alarming are recent reports of new training camps in northern Mali, run by armed groups. Sexual violence against children, especially by the MNLA, is also of great concern.

In the Democratic Republic of the Congo, the resurgence of violence in the east has once again taken a heavy toll on children. The March 23 Movement (M-23), an armed group established by former members of the Congrès national pour la défense du peuple, has been responsible for intensive child recruitment campaigns since April this year; reports of recruitment in Rwanda on behalf of M-23 have also been received. M-23 has killed, maimed and injured scores of children, and sexual violence against girls has been reported. I am disturbed by the fact that M-23 perpetrators have a long history of violations against civilians, including children. The flagrant impunity in which they operate must be addressed once and for all. Measures must be taken to avoid political legitimacy for M-23 elements responsible for human rights violations.

Furthermore, the conflict along the border of the Sudan and South Sudan has put hundreds of children at risk, including children who are displaced from the Southern Kordofan and Blue Nile regions of the Sudan. In addition, I remain deeply concerned about the humanitarian situation concerning access for children in Southern Kordofan and Blue Nile.

Accountability is an integral element both to address and to prevent violations against children. Though imperfect, the preventive aspect of accountability is real. It should start with the criminalization of under-age recruitment and the domestication of international norms and standards prohibiting the recruitment and use of children. It must also be accompanied by domestic enforcement through national rule of law institutions. I would like to emphasize again that achieving accountability must be a common effort; while the primary responsibility lies with Governments, donor countries should support and help to strengthen national efforts by providing assistance to capacity-building.

The Lubanga and Taylor judgements have been a watershed in addressing violations against children in conflict in international and hybrid courts, and the possibility of appearing before the International Criminal Court has proven to be an effective deterrent for military commanders and is useful as leverage in dialogue on action plans. Prosecutions for the recruitment of children have also been undertaken in Myanmar and Colombia with positive effect.

However, the international community must give much greater support and attention to local and regional accountability mechanisms to strengthen institutional capacity for the long term. There is a need to further examine best practices in this regard and obtain institutional and financial support for these initiatives. Only with local and regional buy-in can we truly say that we have addressed these issues in a durable way.

As the Council knows, I served for four years as the Deputy Special Representative for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. I would like to share with the Council that children and their families have high expectations of the Council. Victims feel that it can and should alleviate their suffering. I have seen what the Council in action can do. It can change the fate of a child. Many challenges remain, but Governments and non-State actors have begun to respond to the Council's call for action.

I believe that the protection of all children from grave violations is within our reach. If we stand firm and united, we can move forward and deliver on what is expected from us, namely, that the international community come together and demonstrate its determination to protect children from war. I would like to assure all of my partners, including all Member States, that I am willing to work closely, to listen and to act together in this endeavour.

The President: I thank Ms. Zerrougui for her briefing.

I now give the floor to Mr. Ladsous.

Mr. Ladsous (*spoke in French*): I would like to begin by thanking the Government of Germany for inviting us to participate in this open debate. Speaking to you personally, Mr. President, I would like to congratulate you on your leadership and achievements as the Chair of the Working Group on Children and Armed Conflict.

I would also like to congratulate Ms. Zerrougui on her appointment as the new Special Representative of the Secretary-General for Children and Armed Conflict. The Department of Peacekeeping Operations is firmly committed to supporting her work as the

independent and moral advocate for children affected by armed conflict. Throughout the years, the Office of the Special Representative has provided excellent leadership and established strategic partnerships with the Department of Peacekeeping Operations, UNICEF and the broader United Nations system. This unique partnership has enabled us to lean on the comparative strength of each actor in order to provide comprehensive and real protection for children on the ground, as this is, after all, about them.

(*spoke in English*)

As a key part of this unique partnership, our multidimensional peacekeeping operations are of course uniquely placed to contribute to the actual protection of children affected by conflict. They provide a common platform that combines political, justice, human rights, gender, child protection and other civilian expertise with military, police and corrections experts and myriad logistical and operational capabilities.

The deployment of child protection advisers to our peacekeeping operations, with the support of the Security Council, has enabled us to harness all of our capacities and to leverage our political, security and civilian assets to better protect children.

First, at the political level, child protection advisers support heads of missions in integrating the United Nations child protection concerns at all stages of the peace process, including negotiations with Governments, armed groups or parties to conflict. Take the example of the Sudan, where, following broad political consultations held between the Mission and the Justice and Equality Movement (JEM) earlier this year, JEM issued a command order last week prohibiting the recruitment and use of child soldiers. JEM has thus become the seventh armed movement in Darfur to have taken such a significant step since 2010.

Secondly, our military peacekeepers actually play an important role in protecting children from violations. In the Democratic Republic of the Congo, where I myself was last week, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) military units and observers deployed in remote areas have contributed to the disarmament, demobilization and reintegration of children by providing information, security and critical logistical support for their release. Since the beginning of this year, for instance, MONUSCO has documented the release of no less than 1,038 children through the assistance of peacekeepers. In the past four months alone, at least 38 children have escaped from the March 23 Movement in eastern Democratic Republic of the Congo, as Ms. Zerrougui mentioned, and sought refuge and protection with peacekeepers. These children were handed over to UNICEF and partners for reintegration support.

Thirdly, our child protection advisers are working closely with all civilian components, such as those dealing with human rights, disarmament, demobilization and reintegration, rule of law, justice, protection of civilians coordinators, women protection advisers, gender and security sector reform to promote synergies and a child-sensitive approach to their work.

An important area where the mission harnesses its broad capacities, including the military, police and civilian components, is in the implementation of the monitoring and reporting mechanism. These diverse components refer cases and provide critical information on grave violations to United Nations country task forces, which enables the mission leadership and child protection actors to respond appropriately and support the important work of the Working Group on Children and Armed Conflict, which you chair, Mr. President.

All of those efforts can have a real and sustainable impact when we work closely with national authorities. An excellent example of this partnership was the recent renewal of the action plan to end the recruitment and use of child soldiers signed by the Sudan People's Liberation Army (SPLA) with UNICEF, the United Nations Mission in the Republic of South Sudan and the Special Representative of the Secretary-General for Children and Armed Conflict in March 2012. As a result, the SPLA has screened out 429 children at recruitment sites and ordered its military units to vacate all occupied schools immediately. Today, 11 out of 16 schools have indeed been vacated, and efforts are under way to vacate the remaining five. These achievements are a testament to how concerted action at all levels can result in better protection for children in conflict zones.

Although we have made significant progress in providing protection for children, the report of the Secretary-General (S/2012/261) illustrates that more needs to be done. One of our priorities moving forward is to ensure that we maximize our resources to improve our interventions. We believe that training is an important tool to achieve this. Indeed, in different

missions, training on child protection for all military, police and civilians is a top priority. This year alone, over 9,000 peacekeepers received awareness training on child protection in our peacekeeping missions. With the generous support of several Member States, the Department of Peacekeeping Operations is leading the updating of training materials for peacekeepers. Those training tools will be ready in 2013.

A second priority is the update of the DPKO policy on child protection. We are working jointly with the Office of the Special Representative and with the Department of Political Affairs to reflect the most recent developments in the child protection agenda, and the broader protection agenda since 2009, and to strengthen our collective efforts in this regard.

In conclusion, I would like to reiterate our firm commitment to the protection of children in conflict. Under the leadership of the Special Representative, in partnership with UNICEF, we are deeply committed to ensuring the full implementation of Security Council resolutions. Jointly, we believe that indeed we can deliver tangible and lasting peace for vulnerable children whose lives are so often disrupted by conflict. As always, we look to the Council's mandate and support to achieve that.

The President: I now give the floor to Mr. Lake.

Mr. Lake: I would like to thank you, Mr. President, for inviting me to participate today. Let me begin by thanking in absentia Radhika Coomaraswamy and Alain LeRoy for all of their work. I also want to heartily welcome our new partnership with Leila Zerrougui and Hervé Ladsous. We very much look forward to ever stronger work together in this tremendously important field. Let me also thank Germany and you, Mr. President, for your devoted, even passionate, work in this cause and all your work as Chair of the Security Council Working Group on Children and Armed Conflict.

More than ever — under the leadership of the Council, the Secretary-General, you, Mr. President, and so many others — the issue of children and armed conflict is getting more of the focus, attention and action that it deserves, as participants you heard from my colleagues. But it deserves still more.

In a child's eyes one will find the light of hope and of promise for the future. But look into the eyes of former child soldiers, or the eyes of children who have suffered from terrible abuses, or even the eyes of those who have simply witnessed the horrors of war. That light is still shadowed by fear, pain and the terrible knowledge of humanity at its worst. Those children have seen too much, too soon.

An orphan boy from a small village recruited at gunpoint to become a soldier, handed a gun of his own to recruit others, blinded by prejudice and hate, trained to kill without emotion. A girl living through the horror of rape. A boy robbed of his legs after stepping on a landmine planted outside his school. A sick, bed-ridden child waiting for medicine that will never arrive in her village because soldiers stand in the way.

The world is making progress in holding perpetrators of such acts accountable. The recent verdicts against Thomas Lubanga by the International Criminal Court, and against Charles Taylor by the Sierra Leone Special Court, for example, demonstrate global progress against impunity and for justice. But accountability runs in many directions. Just as perpetrators need to be held accountable for the fate of children in conflict zones, so do Governments, and so do we.

The nine resolutions adopted by the Council since 1999 represent a clear commitment to accountability and action on behalf of children trapped in the horror of conflict. That includes last year's ground-breaking resolution 1998 (2011) to make attacks on schools and hospitals an automatic trigger for listing parties in the Secretary-General's report.

The United Nations monitoring and reporting mechanism is also built around accountability and a commitment to end grave abuses of children's rights. The information on violations collected by United Nations task forces around the world is helping us to shape timely and appropriate responses in regions blighted by conflict, and to meet our goal of protecting all children.

UNICEF is working closely with Governments and communities to protect and rehabilitate children affected by conflict. In addition to monitoring and reporting violations, we are offering a range of responses, including mine-risk education, psychosocial support, vocational training, assistance to survivors of sexual violence and help for children who are being reintegrated into society after their association with armed forces and groups.

We must recognize that the future of those children hangs in the balance. We cannot leave them to fend for themselves. This is our commitment and our accountability. The responsibility of Governments to their citizens, and of citizens to each other, is most fully measured by their accountability to the most vulnerable in their societies. They must therefore support efforts to monitor, report and respond to grave violations against children and their rights.

Governments and others must allow United Nations involvement to help them establish national systems to prevent sanctions violations and deliver the right response services to those who need them without delay. Those actions cannot take place in isolation. They can only be effective through the active involvement of all those concerned, including Governments and communities, as well as the engagement even of those responsible for perpetuating violations against children. That work includes negotiations with armed forces and groups to secure the release of children who have been recruited, sometimes abducted and forced into combat.

In Mali, for instance, UNICEF and our partners have engaged with community leaders who are in active contact with armed parties to the conflict to advocate for children's rights and to end child recruitment. In the Central African Republic we are working with three armed groups with whom we have signed action plans to release children from their ranks. Similar efforts are under way in Afghanistan, Chad, Myanmar, the Philippines, Somalia, South Sudan and elsewhere.

This work is enormously complex, especially in situations involving cross-border conflicts and refugee flows into neighbouring countries. For the United Nations it demands that we leave room for negotiation and walk a fine line — between our hunger for justice and our thirst for peace, between our work on prevention and our work to rehabilitate the victims, and between our outrage at the perpetrators and our need to persuade them.

In short, there is a natural tension at the heart of UNICEF's efforts to deliver impartial humanitarian assistance while protecting and advocating for children's rights. That work, of course, is not only inherently intense, it is also resource-intensive, especially as we establish the monitoring and reporting mechanism in new situations and implement various action plans with parties to the conflicts.

As we accept those necessary costs and ask for help in managing them, we will always keep our eyes on our ultimate goals, namely, protecting, rehabilitating and upholding the rights of children trapped in conflict zones. When one meets one of these children face-to-face, as many of us have, one notices something extraordinary. A few kind words; a welcoming ear of an adult who is not there to take advantage of them or to cast judgment upon them; an offer of food, water or medicine — those simple gestures can bring her or his guard down, even for just a moment. Despite the horrors endured, there is resilience there, a glimmer of gritty hope.

These children are not beyond our reach. Our message to them must be that noe of us will not turn away; that our resolve to bring perpetrators to justice will not falter; and that every one of us accepts the burden of accountability.

The President: I now give the floor to Mr. Tolbert.

Mr. Tolbert: I would like to thank you, Mr. President, for the opportunity and the invitation to participate in this open debate. I am very honoured to speak alongside Hervé Ladsous and Anthony Lake. I am also very honoured to meet Leila Zerrougui today and to hear her remarks as the new Special Representative of the Secretary-General for Children and Armed Conflict. The International Center for Transitional Justice (ICTJ) looks forward to working together with her office to bring an end to impunity for violations against children in armed conflict.

The Council itself is seized with a number of situations that highlight the importance of that issue, perhaps most urgently the situation in Syria.

The Council has already achieved many important advances on the protection of children in armed conflict. Over the past five years, 20 action plans have been concluded by the United Nations with armed forces and armed groups, as part of the broader framework developed by the Security Council over the past decade. The action plans are a crucial first step in ending violations against children in situations of armed conflict. However, more needs to be done to end impunity for those crimes. I will therefore focus my remarks today on ways to achieve greater accountability in contexts where action plans have been signed or are being negotiated.

There are two critical steps that the Council and its members can take to advance that aim.

First, the Council should press States to leverage international resources and expertise to support national processes. Second, the United Nations should include a greater focus on an integrated approach to accountability for violations against children once action plans are implemented.

Before discussing those two key measures, I would like to first address our understanding and our concept of accountability. For many, accountability is thought to mean criminal prosecutions. Prosecutions are, after all, essential for accountability. They send a clear message that certain violations will not be tolerated by society or by the international community. However, ICTJ's work over the past decade in over 40 countries has shown that, in isolation, prosecution is not enough. Accountability for violations against children in armed conflict is best achieved through a comprehensive approach to justice that addresses not only the responsibility of perpetrators but also the rights of victims within a broader process of social change. A comprehensive approach to justice should include truth-seeking, reparations and institutional reform, in addition to criminal prosecutions. Together, those are the key elements of transitional justice.

If we are to effectively confront violations against children and their consequences, we must be able to understand the underlying causes and the patterns of their occurrence. Truth-seeking mechanisms, such as truth commissions, can address such factors. Military and security forces or armed groups that engage in criminal acts, such as the recruitment of child soldiers, must be thoroughly restructured as part of a process of institutional reform, if such unacceptable practices are to be eradicated. Reparations are crucial if we are to send a message to child victims that the harms they have suffered were violations of their rights and that the State is committed to upholding those rights in the future. When such approaches are applied in an integrated and genuine manner, they promote civic trust and strengthen the rule of law.

The Council has succeeded in raising awareness of the need to address violations against children internationally. It should also seek to leverage its position so as to strengthen and support national processes. In its first judgment the International Criminal Court convicted Thomas Lubanga Dyilo for the war crime of conscripting and enlisting children in the Democratic Republic of the Congo. That was a crucial step in the process of establishing an internationally respected norm against the recruitment and use of child soldiers. But the Lubanga trial was never intended to address all perpetrators.

We have observed in our work that the recruitment of children continues, and that many perpetrators enjoy impunity. In that context, the Security Council has the opportunity to use that step forward in international justice to leverage the verdict in the Lubanga case in order to strengthen national processes in the Democratic Republic of the Congo. In line with the Rome Statute, what the Democratic Republic of the Congo needs now is international support for national judicial processes, notably for national courts and comprehensive reparations programmes.

I therefore call on the international community to support the efforts of victims to enforce existing national court decisions awarding reparations, as well as to encourage donors and the Congolese Government to help the Trust Fund for Victims implement reparations for communities affected by forced recruitment.

The Working Group on Children and Armed Conflict should urge donors to support national processes that seek to achieve comprehensive accountability. In terms of expertise, the Working Group can also draw on the work of non- governmental organizations working on the ground. In much the same way that the monitoring and reporting mechanism brings together the United Nations and partners to document violations against children, we need to create synergies to provide remedies to the victims of those violations once documented.

Recalling measures in its 2006 "tool kit" document, the Working Group on Children and Armed Conflict should include in its country-specific recommendations

> "support to transitional justice and truth-seeking mechanisms, including support in the development and implementation of child-sensitive procedures" (*S/2006/724, addendum*).

That leads me to my second point, which is to call for a greater focus on accountability in the context of action plans. As one example, Myanmar is a country where we have been actively engaged for several years. ICTJ welcomes the recent signing of the Security Council mandated action plan for the release and

reintegration of children associated with state armed forces. Alongside this, the complaints mechanism of the International Labour Organization has been an effective, if limited, accountability mechanism in Myanmar, in part because it has been able to balance awareness-raising and engagement with the military, with concrete consequences for recruiters of child soldiers.

Currently, within the State armed forces, the consequences for recruiting children in Myanmar are less severe than the consequences for not bringing in enough recruits. That is one example of an incentive structure that needs to be turned upside down to guarantee that the recruitment of minors is stopped.

During an interview with an ICTJ staff member, a former child soldier told us that he wants acknowledgment that he was unable to finish his education because he was recruited, something that a truth commission could address. In contexts where action plans have been signed, as part of a transitional justice approach, truth commissions could by incorporating a focus on children reveal the root causes of the child soldier phenomenon. They could also serve to identify the multiple ways in which children have been affected and provide a forum to officially acknowledge the violations that victims have suffered.

I urge the Council to consider action plans as a starting point for achieving accountability for violations against children. I would strongly encourage the Council to support an integrated approach to accountability, one that pursues perpetrators and also provides acknowledgement and remedy for the violations suffered by victims and initiates a process of institutional reform. That can be done, in part, by calling for comprehensive transitional justice measures to form part of United Nations responses in tandem with action plans.

Finally, and in closing, as the Council continues the significant progress it has already made on accountability for children, it should continue to recognize that the protection of children — and accountability for serious crimes and grave violations against them — are part of the Council's role in upholding peace and security. The Special Representative of the Secretary-General for Children and Armed Conflict has been instrumental in advancing that work, alongside with the Department of Peacekeeping Operations, UNICEF, the International Labour Organization and other United Nations entities. Their mandates regarding children and armed conflict should be supported and strengthened. The challenge ahead is to translate progress at the international level into lasting change at the national level. We at ICTJ strongly believe that an integrated approach to accountability, through the full range of transitional justice mechanisms and increased support for national processes, will assist the Security Council and the community of nations in our efforts to end crimes against those most vulnerable among us — the children caught up in armed conflict.

The President: I shall now give the floor to Council members.

Mr. Li Baodong (China) (*spoke in Chinese*): I welcome Germany's initiative in convening today's meeting. I thank Special Representative of the Secretary-General Zerrougui, Under-Secretary-General Ladsous and UNICEF Executive Director Anthony Lake for their respective briefings. I also listened carefully to the statement made by Mr. Tolbert.

China attaches great importance to the issue of the protection of children in armed conflict. China condemns violations against children in situations of armed conflict and rejects the recruitment and use of child soldiers. China supports the continued efforts of various United Nations agencies to promote the protection children in armed conflict, in accordance with their mandates and bringing into full play their respective expertise and strengths. In that connection I would like to emphasize the following four points.

First, in accordance with the provisions of the United Nations Charter and the relevant resolutions of the Security Council, the Council should address the issue of the protection children in armed conflict as a priority. The protection of children is an integral part of its overall efforts to prevent and settle conflicts. The problems and the root causes of the abuse of children in conflict must be addressed, by tackling the root causes of conflict and increasing preventive diplomacy. The Security Council should encourage and support the peaceful settlement of disputes by such means as good offices, mediation and negotiation. Only actions to prevent and reduce armed conflicts and to promote post-conflict reconstruction, including comprehensive measures to ensure the reintegration of children into society, will help create a favourable social and security environment.

Secondly, Security Council resolutions on the protection children in armed conflict must be strictly implemented. All parties to a conflict have the obligation to respect and protect the rights of children. An objective and just approach should be adopted on the question of the protection of children, so as to prevent the politicization of the issue and the application of different standards for different conflict situations. Arbitrary interpretation of Security Council mandates and actions, beyond the authorization of the Council, will be nothing but detrimental to the common efforts of the international community to protect children.

Thirdly, countries in armed conflict bear the primary responsibility to protect their children. The sovereignty of countries in conflict should be respected. The key to the implementation of relevant resolutions and the effective implementation of various initiatives to protect children lies in support, cooperation and action on the part of the countries concerned. Strengthening capacities of countries in armed conflict should receive sufficient attention. Sanctions should remain as the last resort available to the Council to address situations that pose a threat to international peace and security. China has always advocated caution in adopting sanction measures.

Fourthly, the Secretary-General's report on the question of children and armed conflict (S/2012/261) sets out important principles for actions by the Council. Safeguarding the authority of the report will facilitate the implementation of Council resolutions and strengthen cooperation among Member States on the issue. In drafting such reports attention should be paid to communication with the Governments concerned and the information provided by the countries concerned. In considering the Secretary-General's reports, the Security Council should listen fully to the opinions of all parties and in particular those of the parties concerned.

Mr. DeLaurentis (United States of America): I would like to thank you, Mr. President, for convening this debate. I also thank Special Representative of the Secretary-General Zerrougui, Under-Secretary-General Ladsous, Executive Director Lake and Mr. Tolbert, President of the International Center for Transitional Justice, for their briefings. Before I begin I would also like to thank former Special Representative of the Secretary-General Radhika Coomaraswamy for her six years of dedicated service and enormous contributions, and to welcome Special Representative Zerrougui to that very important and demanding position. The United States very much looks forward to working with her.

The Secretary-General's report (S/2012/261) notes some encouraging developments. In 2011 the Special Representative of the Secretary-General signed three action plans, with the Government of Chad and two armed groups in the Central African Republic. Thus far in 2012, the United Nations has signed four action plans, with South Sudan and Burma and two with Somalia. The Democratic Republic of the Congo has submitted a draft action plan on child soldiering, which is being reviewed by the Special Representative of the Secretary-General's office. Such action plans are a proven tool for promoting child protection and rehabilitation.

There were other signs of progress as well. The Maoist party in Nepal was delisted from the Secretary-General's report after it ended the recruitment and use of child soldiers and completed its action plan commitments to suspend payments, cease providing housing and encourage disqualified minors to register for reintegration programmes. The delisting of the Iniya Bharati faction was a major step in resolving the last elements of child soldiering in Sri Lanka, although more remains to be done.

Discussions on action plans with armed groups also made progress. In Afghanistan the Ministries of Interior and Defence undertook initiatives to prevent the recruitment and exploitation of children. Those are real and tangible results, and we commend the Special Representative of the Secretary-General's Office for its success in significantly improving the situation of children in such countries.

Still, much of the Secretary-General's report documents many ongoing instances of appalling abuses against children. The Lord's Resistance Army, for example, continued its barbaric operations in several African countries, abducting 101 children in the Central African Republic and carrying out 211 attacks in the Democratic Republic of the Congo. Many of those attacks used child soldiers, and they resulted in the abduction of 124 children in a portion of the Democratic Republic of the Congo's Orientale Province alone. The report documents almost 1,000 cases of child recruitment in Somalia, mainly by Al-Shabaab, and notes the registration of 7,800 child casualties of conflict in the three main hospitals in Mogadishu.

The carnage committed by Al-Assad and the clique around him is particularly distressing. As the report states,

> "Children as young as 9 years of age were victims of killing and maiming, arbitrary arrest, detention, torture and ill-treatment, including sexual violence, and use as human shields. Schools have been regularly raided and used as military bases and detention centres." (*S/2012/261, para. 19*)

Such atrocities, including the torture of young children, continue with alarming frequency and serve as further evidence that the Council should do more to support humanitarian assistance and political transition in Syria.

As we look to the future of the process we should reflect on what more we can do to better protect children in areas of armed conflict. We agree with the Secretary-General that we must find a better way to affect the conduct of persistent perpetrators. Since most Government forces have signed action plans or given indications that they will do so, our main concern should be with non-State armed groups. In addressing such armed groups, we must consider two issues. First, because national Governments have the primary responsibility to protect children in their territory, the United Nations must work with armed groups only in close cooperation with national authorities. Resolution 2068 (2012), which we adopted a few minutes ago, correctly reaffirms that position, which the Council emphasized last year in resolution 1998 (2011).

Secondly, the United States strongly believes that the Security Council should consider a broader range of options to increase pressure on persistent perpetrators of violations and abuses committed against children in situations of armed conflict. At this time, a free-standing sanctions regime on children in armed conflict would not seem to address the need for better tools to deal with persistent perpetrators. As the Secretary-General documents in his report (S/2012/261), four country-specific sanctions committees with designation criteria on violations and abuses against children already exist.

However we encourage the Special Representative of the Secretary-General to provide a report to the working group evaluating the range of possibilities in this area, with a view to facilitating a report by the group to the Council. A thoughtful analysis of different proposals on how to promote accountability would help bring an end to the cycle of violence that plagues children living in conflict-affected areas where persistent perpetrators operate.

Our work today to remove children from the scourge of armed conflict has seen great progress, through the implementation of action plans and focused work to educate armed groups. But we must still summon the resolve to hold accountable the most recalcitrant perpetrators, and redouble our commitment to end impunity.

Mr. Osorio: (Colombia) (*spoke in Spanish*): Allow me, at the outset, to thank you, Mr. President, for organizing this debate. I commend your particular devotion to this issue and your preparation of the concept note (S/2012/685, annex), on the basis of which we carried out arduous negotiations.

I would like to thank the Secretary-General for issuing his annual report on children and armed conflict (S/2012/261). I am also graterful for the briefings by Ms. Leila Zerrougui, Mr. Hervé Ladsous, Mr. Anthony Lake and Mr. David Tolbert. I wish to again welcome Ms. Zerrougui as the new Special Representative of the Secretary-General, as well as to assure her of my Government's commitment and readiness to work with her office in order to strengthen protection for children affected by armed conflict in various parts of the world.

As I said in explaining Colombia's vote, my delegation would like to again draw attention to the series of existing norms on the protection of children in armed conflict. It is therefore necessary to examine the ways they have been implemented and how they are functioning and to carefully consider whether or not it is necessary to adopt new instruments.

When consisdering this matter, it is important to continuously bear in mind that the Council must assess and focus on situations of armed conflict that represent a serious threat to international peace and security. It must draw a clear distinction between such situations and others not on its agenda. Each case must be individually analysed to determine appropriate responses to the specific circumstances and contexts of each situation.

Moreover, I think that it is important to emphasize in our discussion on this issue that the Council and other United Nations entities must strictly adhere to the agreed mandate, which has been formulated in absolutely clear terms. We must deal with the protection of children in armed conflict, which would exclude any situation that

could not be defined as such a conflict. For those cases there are other bodies and others ways of dealing with the issue. When the Council decided that the report of the Secretary-General should include a second annex referring to situations not on its agenda, namely, "other situations", it did so clearly with the understanding that these would, in all cases, refer to parties to an armed conflict as determined by the applicable standards of international law.

In order to improve its consideration of the issue of children and armed conflict, it would be appropriate for the Council to consider strengthening national capacities for the protection of boys and girls. Reporting and monitoring tools can prove useful, yet not definitive. In that context, the Security Council and its Working Group on Children and Armed Conflict must evaluate the efficiency of existing mechanisms in order to help to strengthen States' national capacities. That has been a core concern of the Colombian Government, for which the defence of children is not only an obligatory constitutional tenet but also an ethical and moral imperative for any civilization. Colombia has established an intersectoral commission with that goal in mind, which works under the mandate of a document created by our country's economic and social council. State bodies bearing responsibility on the matter work in harmony to achieve a comprehensive policy to prevent the recruitment of children and other violations against them throughout Colombia, with special emphasis on areas and locations where the greatest challenges in relation to the issue have been identified. In that regard, I would like to refer to the "My rights first" programme, which is a comprehensive prevention plan that aims to provide children opportunities to develop freely and to be able to use their free time for games and leisure activities.

Taking into account the context of this debate, I should like to point out that sanctions only make sense when a Government fails to heed appeals by the international community. However, applying sanctions to armed non-State actors in situations not on the Council's agenda pose a panoply of complications, starting with the fact that clearly this can have a bearing on fundamental interests of the country involved, as well as on matters of national security. Similarly, the targeted sanctions mechanism is applicable only in those situations on the Council's agenda, where the Council has determined, pursuant to Article 39 of the Charter of the United Nations, that such situations constitute a threat to international peace and security. The Council's readiness to adopt this sort of measure when it comes to persistent perpetrators cannot therefore be considered as applicable to situations referred to in annex II of the annual report of the Secretary-General.

In conclusion, we believe that the issue of the protection of children in armed conflict requires improved dialogue and continuous consultation between the United Nations system and Governments, which bear primary responsibility on the issue. For our part, our Government remains ready to work and to cooperate jointly on this issue.

Mr. Loulichki (Morocco) (*spoke in French*): My delegation is pleased to take part in this debate on an issue of key importance to the United Nations and its States Members and appeals to our collective conscience. It is presided over by you, Sir, and represents a just tribute to your commitment and efforts devoted to the matter.

Furthermore, I congratulate Ms. Leila Zerrougui on her appointment as Special Representative of the Secretary-General for Children and Armed Conflict. I wish to assure her of Morocco's commitment to support her efforts as we have done with her predecessor, Ms. Radhika Coomaraswamy. Lastly, let me thank Mr. Hervé Ladsous, Mr. Anthony Lake and Mr. David Tolbert for their briefings.

Today's debate gives us the opportunity to take stock of the progress made in assessing the challenges surrounding the protection of children, as well as the scope and gravity of the violence committed against this vulnerable sector of society, in violation of the most basic principles of human rights and international law, including international humanitarian and refugee law. The magnitude of the atrocities endured by children in these conflicts demands firm, unwavering commitment on the part of the international community to ending such things, with their devastating consequences for the victims and their families.

We can only condemn and fight any exploitation of children's innocence, vulnerability and ingenuousness designed to induce them to take part directly or indirectly in conflicts. No rationale or pretext can justify recruiting children into armed conflict or mitigate the criminal responsibility of those who encourage it or force them to be involved. It goes without saying that denouncing and prosecuting such practices, as has been noted, must be supported with strategies and specific measures aimed at preventing them.

As the Secretary-General's report (S/2012/261) emphasizes, prevention strategies must address the problems in a comprehensive manner, first at the national level, by enacting laws that make recruiting under-age children a crime; then, at the local level, by improving measures designed to protect them and raising family and community awareness; and by establishing national re-education, training and employment programmes that offer young people better prospects. Such efforts should involve not only public authorities but also non-governmental organizations, national human rights institutions and civil society, and should furthermore enjoy priority and significant donor financing. In that regard, my delegation specifically endorses the Secretary-General's recommendation that Governments that ask be given help in implementing prevention strategies. Here we can only welcome the growing number of action plans signed or being negotiated, as the Special Representative of the Secretary-General mentioned, and that reflect the merit of an approach that involves dialogue and cooperation.

The Child Protection Policy adopted jointly in 2009 by the Department of Peacekeeping Operations (DPKO) and the Department of Field Support has helped to guide United Nations activities regarding the protection of children in armed conflict and to support the mandate of child protection advisers in peacekeeping operations. We welcome the steps the DPKO has taken to educate and train United Nations forces in order to enable them to protect children in situations of armed conflict. At the same time, we believe it essential to strengthen the capacity of the countries concerned, with the sustained commitment of the United Nations to cooperation and technical assistance, in order to help those countries implement their action plans successfully.

Recruiting children into armed conflict is a crime to be condemned by any and every standard. We are all indisputably obliged to combat it, and we must do everything to put an end to it. Coordinating the efforts of the various stakeholders in the United Nations system is a guarantee of effectiveness and success; but, as has been widely emphasized and demonstrated, primary responsibility for that lies with the parties to conflicts, who must be prevailed on to respect the lives and rights of children, as expressed in Security Council resolutions and international conventions.

In conclusion, I voice the hope that the international consensus on the importance of protecting children in situations of armed conflict will be transformed, through dialogue, cooperation and recognition of different sensitivities, into a truly universal consensus, fully endorsed by all parties, to be welcomed by every child living in a situation of armed conflict.

Mr. Karev (Russian Federation) (*spoke in Russian*): We thank our German colleagues for organizing today's meeting, and we are grateful to the guest speakers for their useful briefings and assessments of the state of the protection of children in armed conflict.

It is clear that, despite the measures that have been undertaken at the international and national levels, along with the existence of a broad international legal foundation, children continue to be among the most vulnerable groups affected by armed conflict. Russia condemns all serious offences committed against children, regardless of who perpetrates them, and advocates the prosecution of all such perpetrators. We also firmly condemn intentional attacks on civilians, including children, as well as the indiscriminate and disproportionate use of force that produces the same results. The primary responsibility for protecting and rehabilitating children belongs to national Governments, while steps taken by United Nations entities should be designed to support and complement those efforts. United Nations representatives may be allowed to engage with non-governmental armed groups only with the consent of the Government of an affected nation.

The parameters for protecting children in armed conflict and post-conflict recovery are laid out in resolution 1612 (2005). They relate both to the operation of the monitoring and accountability mechanism and to the activities of the Working Group on Children and Armed Conflict. Those mechanisms must focus primarily on the most pressing and large-scale situations of armed conflict on the Council's agenda.

As far as other situations are concerned, they can be considered by the Working Group only with the consent of the State involved. Under Germany's leadership, the Working Group has achieved a great deal in terms of crafting recommendations on specific situations. Implementing them effectively requires developing close cooperation with the Governments concerned in an atmosphere of trust and dialogue, which should ultimately help to improve conditions for children on the ground.

A key role in the Security Council's activity in the area of protecting children in armed conflict unquestionably belongs to the Special Representative of

the Secretary-General for Children and Armed Conflict. In that regard, we welcome the appointment to the post of Ms. Leila Zerrougui and hope that her considerable experience in the United Nations system will help her make a significant contribution to measures taken at the international level to protect children affected by armed conflict, and to make efforts in this area more effective. Based on the experience already gained, we would like to make some recommendations that we hope will help enhance the effectiveness of the Special Representative's work.

In recent years, we have unquestionably been quite effective in achieving system-wide coordination of efforts in the area of the protection of children in armed conflict. Information and outreach activities have been very successful. Here we should mention specifically the active part played by the Special Representative in the International Criminal Court's first prosecution of a war crime for the recruitment and active use of children in combat in the *Lubanga* case. At the same time, there are still several issues concerning the implementation of certain aspects of the Special Representative's mandate.

First, we note that the Special Representative's area of responsibility does not cover every issue related to the protection of children in armed conflict, but only those situations that are on the Security Council's agenda. In that context, the concept of armed conflict itself should not be too broadly interpreted, including in the Secretary-General's reports. It is essential that the information used be accurate and objective. Carefully weighed evaluations, based on credible and reliable information, will guarantee the subsequent practical implementation of recommendations made, above all by establishing mutually respectful dialogue with the Government concerned. For example, with respect to crimes committed against children in Syria, the report (S/2012/261) of the Secretary-General accuses only Government forces and their supporters. They alone are mentioned in annex I to the report. Crimes perpetrated by representatives of the opposition are referred to only in passing in the same report.

With respect to Libya, we never received complete information with respect to the situation of children in that country and the investigation of the deaths of children as a result of the NATO military operation in that country. There are ample credible reports in this case, not only on children's deaths but also on their recruitment.

There is one other issue: elaborating specific procedures and criteria for delisting parties to an armed conflict from the annexes to the annual report of the Secretary-General. It is our view that the current inclusion of 32 such parties is evidence, inter alia, of the need to devise understandable criteria for delisting parties from such lists. It cannot be denied that States on whose territory such parties are engaged in an armed conflict are working very hard to remedy the situation. The lack of simple and clear criteria not only does not help the Governments of those countries but continues to engender certain suspicions with respect to the objectivity of the instrument as a whole.

Devising plans of action on putting an end to this type of crime, as was proposed in the 2010 report (S/2010/181) of the Secretary-General, is not, in our view, the sole response to this issue. On the one hand, certain parties to armed conflict have adopted such plans but are still listed, and, on the other, it is well known that the existence of this type of document in no way ensures that it is being implemented in practice or even that there is an intention to do so.

In conclusion, we deem regrettable that for the first time a draft resolution on the issue of children and armed conflict was not adopted unanimously by the Security Council. As we see it, this has highlighted once again the importance of ensuring that when such important instruments are negotiated, the views of all members of the Council, without exception, are taken into account. In our view, consultations on the text should have continued, since during those consultations we saw positions converging, and prospects remained for reaching a consensus on the text. We hope that in future such situations will be avoided.

Mr. Araud (France) (*spoke in French*): I should like at the outset to thank those who spoke before me for the explanations they have provided, and I very warmly welcome the new Special Representative of the Secretary-General, Ms. Leila Zerrougui. On behalf of my delegation, I wish her every success in her important new role.

I shall be relatively brief. Many of my colleagues have already said what I wanted to say, in particular in terms of emphasizing that the mechanism we have devised for the protection of children in armed conflict shows that our Organization is faithful to its ideals in responding to the demands of our collective conscience. The mechanism, a successful endeavour on the part of

the United Nations, makes it possible to demobilize more than 10,000 child soldiers per year. That success is attributable first and foremost to the work done by Ms. Radhika Coomaraswamy over the past six years, and I should like, as my colleagues have done before me, to thank her.

But that success is due also to the instruments with which we have equipped ourselves, which have made possible the signing of 20 action plans, the last two of them over the summer, with the Transitional Federal Government of Somalia and the Government of Burma. We are also pleased to learn that the Democratic Republic of the Congo is ready to sign a new plan of action and that negotiations have begun with Libya.

We must persist in our efforts in order to achieve a world without child soldiers in 25 years, including the goal set by Ms. Coomaraswamy, that of no child soldiers in Government armies in 10 years' time.

But this meeting should not be about triumphalism. Not only do a number of persistent perpetrators remain; new ones have emerged. UNICEF believes that, in the Democratic Republic of the Congo, more than 2,000 children have been forcibly recruited in the past five months in North Kivu. Reports indicate that the M-23 movement recruited dozens of children in July and August to use in its fight against the Congolese armed forces.

Because of the deliberate attacks targeting schools and hospitals in Syria, which are often turned into centres for detention and torture, and because of the acts of violence committed against children, who are being tortured, raped and killed outright, this year the Syrian army and its auxiliary forces have been put on the list of infamy. Let us recall that 49 children's bodies were discovered by United Nations observers lying among those of the 108 victims of the Houla massacre, who had been mowed down by Syrian artillery and had had their throats cut by its auxiliary forces.

We must also enhance and strengthen our instruments, in particular to deal with the problem of persistent perpetrators, which have been on the list of infamy for five years or more and continue to violate children's rights with impunity; today they number 32. In most cases, we have no means of effectively punishing such violators, which undermines the credibility of the child-protection mechanism established by the Council.

France therefore would wish to see the strengthening of measures to combat impunity. It was in that spirit that we adopted resolution 1998 (2011) and that today we adopted resolution 2068 (2012). But we need to go still further. For guidance we can turn to the recommendations made by the former Permanent Representative of France, Ambassador De La Sablière, in his report, which was requested by the previous Special Representative. The report recommends that the problem of persistent perpetrators be tackled at the appropriate political level by means of Council consultations and press statements and by encouraging the Working Group to ensure concrete follow-up of the issue. Targeted measures must also be devised. The Working Group could, for example, become an ad hoc sanctions committee when the situation so requires.

We also would be in favour of enhanced dialogue with the International Criminal Court. That could mean at first an invitation to the Prosecutor, Ms. Fatou Bensouda, to brief the Council on this issue. France would like these proposals to be considered by the Working Group.

The Council's Working Group must also be endowed with the resources necessary to accomplish its task. We therefore trust that field missions will continue at the current pace, following those to Nepal and Afghanistan in 2011. We would like to see their funding earmarked as new measures under the regular budget for 2013-2014, which will be adopted in the fall.

I wish to conclude by saying that together with the Special Representative of the Secretary-General for Children and Armed Conflict, UNICEF and our partners in the steering committee, we will convene the fifth ministerial follow-up Forum on the Paris Commitments and the Paris Principles in November. The Paris Principles and Commitments are complementary to Security Council action, and we call on all States Members of the United Nations to endorse them as soon as possible.

I should like to take this opportunity to congratulate you, Mr. President, as well as your team for the manner in which you have chaired the Working Group on Children and Armed Conflict, and I thank you for having convened this debate.

I cannot conclude, however, without ruing the fact that not all Council members agreed to the text that was adopted. Unanimity was possible and could have been achieved had certain States foregone their

attempts to weaken our measures and to politicize United Nations action in this sphere. Only the rejection of politicization and adherence to the text will allow the United Nations to remain faithful to our ideals in this major undertaking.

Mr. Moraes Cabral (Portugal): I thank you, Sir, for convening this open debate on children and armed conflict, an issue to which Portugal attaches great importance. Let me congratulate Germany on its leadership in the Working Group and the work that has been accomplished there.

I naturally thank the briefers for their excellent presentations and join others in warmly welcoming the new Special Representative of the Secretary-General, Ms. Leila Zerrougui. I assure her of Portugal's full support in her work and efforts to ensure increased protection of children in situations of armed conflict. I would also like to add a word of appreciation to the former Special Representative for her work over the past six years.

Portugal obviously shares the views that will later be expressed by the observer of the European Union regarding this issue, but allow me to underline some aspects of particular significance to my country.

The latest report of the Secretary-General (S/2012/261) provides us with a clear overview of the progress made on the situation of children and armed conflict. Much has been done, and we have added steps to prevent the recruitment and to end the use of children by armed forces and groups. Some of these important steps have already been mentioned today. Every release of a child is indeed a concrete advancement, and by now tens of thousands of children have been released worldwide.

The advocacy and dedication of the Office of the Special Representative of the Secretary-General, as well as of UNICEF and peacekeeping missions, have been crucial in furthering this agenda. In this regard, specific commitments by parties to conflict to stop the recruitment and use of child soldiers have proven to be very effective, and we should encourage them. The strong normative framework and the mechanism to monitor, report and respond to grave violations against children, established by the Security Council, are also fundamental tools to stop child soldiering. Resolution 2068 (2012), which we adopted today, is another important piece of this normative framework.

The theme of this open debate is very relevant indeed. The need to tackle impunity regarding persistant perpetrators who have been clearly identified should certainly guide our work in the near future. We are referring to individuals or entities that have been identified as persistent perpetrators for five years or more, and most of them are non-State actors. The Council needs to address those difficult cases and ensure that such individuals are accounted for and sanctioned. If we do not do so, it will be the credibility of the system that we have built that will be at stake.

The Security Council has started to apply targeted measures against persistent perpetrators in situations on its agenda, but we strongly believe that the mandates of existing sanctions committees, as they are being renewed or established, should also include child protection criteria, as is already the case with some of them, thus furthering the normative framework for child protection in situations of armed conflict.

We also believe that the Council needs to find a way to consider targeted measures against perpetrators of grave violations against children in situations where a dedicated sanctions committee does not exist. We welcome the discussion that will take place in the Council on this issue, and we believe that one possible solution to increase pressure on persistent perpetrators would be to establish a thematic sanctions committee to target individuals and entities that are identified as such.

But sanctions are and should continue to be a last resort, too. Prevention through national strategies and concrete commitments on the part of the parties and Governments is obviously the most effective tool for promoting and protecting children. In this context, national protection and accountability mechanisms are fundamental. As has already been mentioned, the primary responsibility for child protection lies with national authorities, and any international action in that regard must be closely coordinated with them.

Finally, in the past year decisive steps have been taken to ensure accountability for those responsible for recruiting and using child soldiers. Portugal has welcomed the recent decisions of the Special Court for Sierra Leone and the International Criminal Court, which constitute important landmarks for international justice and demonstrate that accountability is achievable and can be implemented. Such verdicts send a clear

signal to parties to armed conflict throughout the world that impunity is unacceptable.

The Security Council must also show strong resolve and political engagement to render even more effective its response to counter impunity for crimes against children and to enhance accountability for violations of international humanitarian law and human rights law.

Ms. Mxakato-Diseko (South Africa): We thank Germany for facilitating this important debate. We are grateful for the very useful statements made by the Special Representative of the Secretary General for Children and Armed Conflict, Ms Leila Zerrougui; the Under-Secretary-General for Peacekeeping Operations, Mr. Herrvé Ladsous; the UNICEF Executive Director, Mr Anthony Lake; and the President of the International Centre for Transitional Justice, Mr. David Tolbert.

We congratulate Ms. Zerrougui on her appointment and we wish to acknowledge the significant contribution of the former Special Representative, Ms. Radhika Coomaraswamy, to the protection of children in armed conflict. We also welcome resolution 2068 (2012), just adopted.

The plight of children in armed conflict remains an issue of deep concern to South Africa. Armed conflict continues to disproportionally affect children, who remain the most vulnerable to attacks, forced recruitment and deprivation of their basic rights. Children involved in armed conflict are deprived of an opportunity to grow up in a secure environment where they can realize their full potential. The international community's response to the plight of the most vulnerable in situations of conflict is a direct reflection of its commitment to protecting children caught up in armed conflict.

South Africa is pleased that the issue of children and armed conflict continues to receive the attention it deserves on the agenda of the United Nations in general and the Security Council in particular since the compilation of the first United Nations report by Ms. Graça Machel in 1996 on children affected by armed conflict (A/51/306 and Add.1).

We have noted that the Security Council has identified six grave violations committed against children in armed conflict. South Africa believes that each must be given equal priority and attention by the Council. In this regard, we welcome the expansion of the trigger mechanism for punitive measures. It is imperative that all parties to armed conflict refrain from any action that could violate the rights of children. We call on all parties involved in conflict to abide by international law, including international humanitarian law, and refrain from attacks against civilian targets, particularly those wherein children would be present.

We have noted that the efforts employed by the Council, including the threat of being listed in the reports of the Secretary-General, has led to some actors modifying their behaviour. However, despite the commendable work of the Council, and in particular the Working Group on Children and Armed Conflict and the Special Representative of the Secretary-General, there remain State and non-State entities that continue to persistently perpetrate violations and abuses against children.

We should note that State actors in most cases have been cooperative and have worked constructively in preparing and implementing concrete, time-bound action plans to cease and prevent abuse and violations against children. The major challenge, however, has been bringing armed opposition and rebel groups into compliance. Thus, when considering compliance measures, we need to ensure that they will be effective against non-State parties in particular.

Despite our efforts to address these persistent violators in a non punitive way, there has been a dramatic increase in their number from 13 to 32. We therefore need to assess whether the actions we have taken thus far are sufficient and effective to deal with these cases, because clearly they are not, as the numbers attest. We therefore share the concern of the Secretary-General about the unacceptable, high and growing number of persistent perpetrators of grave violations against children, as well as his call that further decisive and immediate action is needed to halt such violations and to ensure that persistent perpetrators are brought to account.

It is therefore imperative that we consider appropriate action; otherwise, we would be rendered ineffective and unable to assist some of the most vulnerable victims of armed conflict. The report (S/2012/261) of the Secretary-General provides us some concrete recommendations for addressing this matter. It is the responsibility of the Council to take positive action in that regard.

Resolution 1612 (2005) reaffirmed the Council's intention to consider imposing, through country-

specific resolutions, targeted and graduated measures against those in violation of applicable international law relating to the rights and protection of children in armed conflict. The expansion of designation criteria for listing by some Sanctions Committees — including those on the Democratic Republic of the Congo, Somalia, the Sudan and Côte d'Ivoire — of those committing grave violations against children is a welcome development. The Council should therefore consider the expansion of the criteria when contemplating sanctions measures. In that regard, the Council could receive recommendations from the Working Group on listing individuals involved in gross violations against children in armed conflict. That would necessitate a close working relationship between the Working Group and the country-specific sanctions committees.

Another recommendation offered by the Secretary-General is closer cooperation with national and international courts to address persistent perpetrators who continue to commit grave violations against children in conflict situations. In that regard, we welcome the recent decision by the International Criminal Court in respect of Mr. Thomas Lubanga Dyilo and the decision of the Special Court for Sierra Leone in respect of Mr. Charles Taylor for their crimes against humanity, which include violations related to children.

It is also regrettable that a larger number of persistent perpetrators are on the African continent, with the Lord's Resistance Army in particular continuing to devastate the lives and the livelihoods of communities, including the security impact thereof. That should of course come as no surprise, as most conflicts are on the African continent. It is therefore vital for the United Nations to work with the African Union and subregional organizations on the African continent in addressing this challenge. That will ensure effective coordination, monitoring and reporting mechanisms, in addition to galvanizing political will.

It is vital that we do not forget the long-term needs of children who have been affected by armed conflict. South Africa therefore underscores the importance of adopting a broad strategy regarding conflict prevention. It should address the root causes of armed conflict in a comprehensive manner and create an environment conducive to the protection and promotion of children's rights.

In conclusion, South Africa commends the work of the Working Group, especially its role to review progress in the development and implementation of time-bound action plans by parties to conflict to halt the recruitment and use of children, which are violations of international obligations. We would like to express our continued commitment to work with Council members and international community to ensure that the protection of children remains our priority.

Mr. Menan (Togo) (*spoke in French*): I should first of all like to thank you, Mr. President, for having placed this very important issue concerning children on the agenda of the Security Council under Germany's presidency. I also congratulate Ms. Zerrougi on her appointment as Special Representative of the Secretary-General for Children and Armed Conflict. I wish her every success in her work. Lastly, I would like to thank Mr. Ladsous, Under-Secretary-General for Peacekeeping Operations, for his introduction of the report (S/2012/261) of the Secretary-General, as well as Mr. Anthony Lake, Executive Director of UNICEF, and Mr. David Tolbert, President of the International Center for Transitional Justice, for their relevant contributions to this debate.

It is evident that armed conflict has always posed a grave threat to peace and security where children are concerned, including to protecting their rights. Quite often, they become deliberate targets and collateral victims of such conflicts, while not themselves being the cause for them. It is therefore a source of great concern to note that, in most conflicts throughout the world, children are forced to play an active role by participating actively in combat or by taking on other roles incompatible with their status as children.

In the world today, approximately 250,000 child soldiers are subjected to grave violations of their rights, specifically through recruitment, sexual violence, death and mutilation and attacks against schools. In all of that, they are the primary victims. It is difficult to explain such attacks against the honour and dignity of children against the backdrop of the 20 November 1989 international Convention on the Rights of the Child, which calls for respecting and protecting children's rights. The reason for that is clearly owing to the inability, difficulty or refusal to implement the provisions of the Convention, as well as similar legal instruments. But it is also due to a lack of national policies to safeguard the well-being of children. Moreover, where Governments have taken steps or adopted action plans on children, implementation suffers from the lack of follow-up and

a low level of real involvement on the part of local authorities and civil society.

My country would nevertheless like to commend the decisive role of the United Nations in protecting children's rights, which is manifested in the adoption of the Convention as well as numerous resolutions of the Security Council on this issue. That constitutes real commitment and advocacy on behalf of protecting the rights of children.

In that regard, I would like to commend the Security Council's holding of private consultations to present the criteria for the listing in annex II of the reports of the Secretary-General of groups responsible for grave violations against children in situations of armed conflict. Those consultations are very much in line with the implementation of resolution 1998 (2011), which included attacks on schools, hospitals and their personnel as criteria for listing perpetrators on the list contained in the Secretary-General's report — whereas previously the criteria included only sexual violence, murder, mutilation and the recruitment of child soldiers.

It is also important that we commend the results of the Security Council's Working Group on Children and Armed Conflict, which include providing guidance to the Council with respect to its conclusions, resolutions and presidential statements, with the aim of helping countries experiencing armed conflict to safeguard children.

As party to the Convention on the Rights of the Child as well as other relevant international legal instruments, Togo strives to make the protection of children's rights a reality by adopting legislative and regulatory measures, including making school mandatory and providing free primary schooling. Moreover, in July 2007, Togo adopted a law on children that mandates a prohibition on recruiting children under the age of 18 for service in our national armed forces. For some time now, my country has carried out awareness-raising campaigns on this issue among the population, in particular aimed at parents.

Every State Member of the Organization should engage with determination in establishing the conditions in which children can grow up free from all violence and any violation of their rights. One of the ways to reach that goal is to include respect for the Convention on the Rights of the Child among the rules governing the conduct of officials and all actors in national society, as well as to stipulate penalties when there is a failure to implement those rules. That is why my country fully endorses the proposals contained in the report of the Secretary-General, especially the request made of the Security Council to encourage States that have not yet done so to become party to all the international legal instruments concerning the rights of the child, as well as to work to integrate them into their national legislation so as to ensure their effective implementation. Similarly, we support the recommendation that the Council ensure that the specific provisions with respect to the protection of children continue to be in all of the relevant mandates of United Nations peacekeeping operations. In that regard, I would again like to commend the work being done by the Department of Peacekeeping Operations in that area.

Togo continues to believe that the ongoing perpetration of violations of children's rights in armed conflicts is due to the impunity of the perpetrators. The latter, whoever they are, must be tracked down and arrested, so that they can be held accountable for their acts. We also commend the decision of the International Criminal Court in the *Thomas Lubanga Dyilo* case, which clearly illustrates the efforts of the international community to put an end to the impunity of perpetrators of abuses against children. Identified perpetrators need to be brought to justice, which would presuppose, inter alia, strengthening the national legislation of the countries involved and establishing close cooperation between States in order to restrict the freedom of movement of violators who are being sought. When there is no more impunity or safe haven for the perpetrators and masterminds of serious violations of the rights of the child, our world will be able to hope to put an end to the violence against children in armed conflict.

In conclusion, I would point out that, in voting in favour of resolution 2068 (2012) this morning, my country wished to reaffirm its firm commitment to fighting against the serious violations against children, particularly in situations of armed conflict. That is why we regret that the Council failed to adopt the resolution unanimously despite the efforts undertaken by various parties to reach a consensus on certain key issues. We firmly believe that when it is a matter of issues such as the fate of children in armed conflict, the Security Council should do its utmost to reach the necessary unanimity, which will only lend greater credibility to the text that it adopts.

Mr. Musayev (Azerbaijan): I would like to thank the German presidency for convening today's open debate on children and armed conflict and for its active role and leadership in advancing that significant theme in the work of the Security Council.

We welcome Ms. Leila Zerrougui, the new Special Representative of the Secretary-General for Children and Armed Conflict, to the Council and wish her every success in fulfilling her important and responsible mandate. I would also like to thank Mr. Ladsous, Mr. Lake and Mr. Tolbert for their statements.

Azerbaijan's firm views with regard to the issue under consideration are well known and stem from our keen interest in contributing to the achievement of sustainable peace and development and from our practical experience in addressing the impact of armed conflict on civilians, including children. The war unleashed against my country and the military occupation of our territories has had a considerable impact on, inter alia, humanitarian issues in our country, primarily affecting the most vulnerable groups. Azerbaijan continues to suffer from having one of the highest numbers of refugees and displaced persons in the world, many of whom are children. The most serious crimes of concern to the international community have been committed during the conflict, and not even children have been spared.

Azerbaijan remains deeply concerned by the negative impact of armed conflicts on children and strongly condemns all violations of international humanitarian and human rights law committed against them. We have always been consistent in demanding the strict observance by the parties to armed conflict of their obligations under international humanitarian and human rights law in all circumstances.

Azerbaijan reiterates its commitment to continuing to support the activities of existing United Nations mechanisms aimed at ensuring more effective protection for the rights of children and improving the situation of children affected by armed conflict.

We welcome the growing attention of the Security Council to the topic and support the activity of its Working Group on Children and Armed Conflict. The heightened vulnerability of children in wartime brings an element of urgency, dedication and strong commitment to our protection efforts, which must be free of selectivity and politically motivated approaches and preferences. Azerbaijan knows the role that the mandate of the Special Representative for Children and Armed Conflict must play in that regard. We encourage the Special Representative to fulfil her mandate to attend to the suffering of children in all situations of armed conflict, including, in particular, those of a protracted nature and of prolonged impact on children.

Important steps have been taken in a number of situations of armed conflict to achieve accountability for grave violations of children's rights, including the development of international jurisprudence. However, serious challenges remain. Unfortunately, the violation of international humanitarian and human rights law in some situations of armed conflict has not received attention and response at the international and regional levels. It is obvious that more resolute and targeted measures are required to protect children in situations of armed conflict and to end impunity for the most serious crimes of concern to the international community that have been perpetrated against children.

It is incontrovertible today that no official or political status can cloak the person responsible with immunity for such crimes. Combating impunity is important not only for the purposes of prosecuting such crimes and bringing those responsible to justice, but also for ensuring sustainable peace, truth and reconciliation.

Particular consideration should be given to internally displaced children in terms of ensuring their inalienable right of return and to the implications of illegal policies and practices in situations of foreign occupation for the protection of children's rights. In addition, among the pressing issues requiring urgent attention and action is that of children taken hostage and reported missing in situations of armed conflict. In that context, it is essential to ensure that all appropriate measures are taken to determine the fate of such children, including searching for them and reunifying them with their families, in particular by strengthening international cooperation.

In conclusion, I would like to reiterate that there is a need for more resolute and consistent efforts aimed at addressing existing challenges and finding long-term and sustained solutions to the problems involving the protection of civilians, including, in particular, violations and abuses committed against children in situations of armed conflict.

Sir Mark Lyall Grant (United Kingdom): I thank you, Sir, for convening today's important debate on

children and armed conflict. We welcome the strong leadership that Germany has brought to the issue, both in its role as President of the Council and particularly in its chairmanship of the Working Group on Children and Armed Conflict. I also thank the four briefers for their important statements today.

I would like to take this opportunity to express warm appreciation for the former Special Representative of the Secretary-General, Ms. Radhika Coomaraswamy, for her advocacy and active engagement over the last six years, which resulted in the release, reintegration and protection of countless children across the world.

The United Kingdom welcomes Ms. Leila Zerrougui to her appointment as the new Special Representative of the Secretary-General for Children and Armed Conflict. It is a demanding but extremely important role on a dossier of central importance to the core mission of the United Nations. She will have the United Kingdom's full support, and we look forward to working closely with her.

The latest report of the Secretary-General (S/2012/261) is strewn with evidence of hideous crimes committed against children that cannot be ignored. Thousands of children have been killed or injured by improvised explosive devices, landmines and rocket-propelled grenades. Tens of thousands have been denied access to humanitarian assistance critical to their survival. There are hundreds of examples of attacks on schools and hospitals. There are cases where girls and boys, some as young as six, have been sexually assaulted and raped by armed groups. Children, in some case younger than 10 years old, have been forcibly taken from their families and recruited as combatants, escorts, cooks and porters for armed groups.

In the face of such evidence, our individual and collective ambition on the agenda must remain high. United Nations efforts to help children affected by armed conflict can work, and well. Action plans have resulted in the release and the reintegration of thousands of children recruited and caught up in the fighting. In its verdict against Thomas Lubanga in March, the International Criminal Court issued its first judgement on the issue of child recruitment, setting groundbreaking jurisprudence for future cases and sending a strong message to those who continue to believe that they can safely commit grave violations against children with impunity. In our efforts to address such grave violations, the Special Representative of the Secretary-General and the Council's Working Group are vital tools that must be preserved and supported.

Against that background, we welcome the adoption today of resolution 2068 (2012). It sends an important message of the Council's determination to take forward the agenda of children and armed conflict in an active, forward-looking and wide-ranging manner. The United Kingdom welcomes the fact that the resolution secured strong Council support, spanning all regions. We would have liked the resolution to have been adopted unanimously, and regret that that did not happen.

We disagree with the assertions of some Council members that insufficient efforts were made to find consensus. In our view, extensive negotiations were conducted in circumstances in which some delegations maintained solidly negative positions towards the agenda, proposing amendments whose effect would have been unacceptably to constrain the role of the Special Representative. Significant compromises were made in an effort to reach consensus, but we cannot accept the assertion made by some Council members that the former Special Representative of the Secretary-General overreached her mandate in the conduct of her business. That accusation is completely unfounded.

The United Kingdom remains deeply concerned about the unacceptably high and increasing number of perpetrators of grave violations against children, namely, 32 parties that have been listed for grave violations against children for five years or more. We need an innovative and practical approach to address the increasing number of armed groups that persistently rob children of their futures. We must demonstrate that they will be held accountable for their actions. We should not tolerate such abuse.

We encourage the Security Council and the Working Group to consider what further tools should be available to help bring to justice those who commit grave crimes, threatening the peace, security and well-being of children. Children and armed conflict is an agenda that the Security Council should be consolidating and advancing. Consensus and Council unity are desirable, important and worth striving for, as happened in the negotiations, but they are not ends in themselves. Consensus should not be secured at the expense of an effective approach to the global challenge of children and armed conflict. We must maintain a high level of ambition for the agenda in the United

Nations and elsewhere. We believe that resolution 2068 (2012) gives us the right basis for doing so.

Mr. Tarar (Pakistan): Pakistan welcomes this opportunity to have a frank discussion on the subject. We thank all the briefers for their presentations.

We welcome the appointment of the new Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Leila Zerrougui, who brings with her a wealth of experience for carrying out that mandate. We are confident that she will favour positive and constructive engagement over the approach that led to the unfortunate divergence and controversy related to implementation of the mandate. We stand ready to extend our full support and cooperation to her.

Allow me to begin by explaining Pakistan's vote on resolution 2068 (2012), adopted earlier this morning without consensus. Our delegation constructively engaged in the negotiations and made various proposals, supported by several delegations, to improve the draft text and to reinforce the true spirit of the mandate. Regrettably, those proposals were not accommodated. Contrary to claims by one Council member, the process of consultations also was bereft of openness and a willingness to achieve consensus. In the end, a non-consensual text was presented as a virtual fait accompli. I would like to highlight some of the critical aspects that should have helped in building the needed political consensus on the resolution.

The issue of full observance of or working strictly within the mandate is at the heart of the problem. Pakistan and other delegations had proposed several options to the Chair to address that. However, as referred to in paragraph 1 of the resolution, the issue of the mandate remains vague and inadequately addressed. The unwarranted references in the report of the Secretary-General (S/2012/261) to non-mandated situations reflect the extent of the misuse of such a mandate. A report that deviates from the given mandate cannot be accorded legitimacy. We clearly articulated our position on the reference to the report in the resolution. Discrimination and double standards in the exercise of different mandates is a reality. In order to address that, we proposed a paragraph. However, the proposal was distorted by the sponsors and the Permanent Five as comprehensively protecting children in all situations. That does not reflect the selectivity that exists on the ground in approaching different situations of armed conflict.

We also made proposals expressing concern at the inclusion in the Secretary-General's report of situations that are not in the mandate. We reiterated the need to fully respect the mandate in future reports. Regrettably, those proposals were not accepted.

Separately, the sponsors arbitrarily introduced the element of automaticity as regards annual reports, thus impacting the desired transparency and accountability in the process. Our constructive engagement and compromise proposals were disregarded and the text was pushed through in haste. While we would have voted against the draft resolution owing to our serious concerns over the text, we decided only to abstain to underline our commitment to the mandate and our willingness to work constructively with the Special Representative of the Secretary-General.

I would like to take this opportunity to express our deep appreciation for those members of the Council who shared and showed an understanding of our principle concerns on the issue, as also expresses through their votes on the resolution.

Love for children is a natural phenomenon that cuts across all geographical divisions and transcends any social, cultural or developmental factors. All children are entitled to equal attention and care, as the future of humankind rests on ensuring their well-being. The United Nations Charter therefore rightly starts with the noble objective to save succeeding generations. That aims at ensuring due protection of and the proper investment in the cause of children. Pakistan is fully committed to that objective.

The rights of children need to be protected in all circumstances. However, being a part of vulnerable groups, their rights are adversely affected, particularly during situations of armed conflict. The Security Council created the mandate of children and armed conflict precisely to ensure that the rights of children are also protected in such situations. Pakistan supports the mandate, including its reporting and monitoring procedures on the specific trigger mechanisms.

The reports of the Secretary-General on the subject are an important medium of monitoring and reporting on such situations. Unfortunately, however, recent reports of the Secretary-General have blundered into situations that are outside the scope of the mandate authorized by the Security Council. Such overreach has not only diluted the focus on the core challenges, but

also created undue divisiveness, thus undermining the consensus that exists on this important mandate.

In addition, such adventurism creates legal, political and practical difficulties for both the Secretary-General and the United Nations system as a whole. Most regrettably, the latest report once again contains references to non-mandated situations, in particular, an unwarranted and completely misleading section on Pakistan.

That not only misrepresents the context of Pakistan's law enforcement and counterterrorism measures, but also serves to accord undeserved respectability to terrorists and criminals. That disturbing trend is bringing into disrepute both the intergovernmental body that created the mandate, namely, the Security Council, and the esteemed Secretary-General. Despite acknowledging that specific acts of terrorism mentioned in the report were carried out by the Taliban and Al-Qaida elements, the former Special Representative of the Secretary-General for Children and Armed Conflicts refused even to label them as terrorists in the report.

Similarly, the practice followed by the Office of the Special Representative of the Secretary-General for Children and Armed Conflicts on condemning specific acts of violations of child rights is selective. While they did not lose time in issuing statements regarding acts of terrorism involving children in specific countries, even when those were not situations of armed conflict, the Office is known to have turned a blind eye to the killing of children in actual armed conflict situations. Such selectivity has only led to the strengthening of the belief of Member States that United Nations special procedures need to work more independently and strictly within the carefully crafted and common meaning of their mandate.

It is important to recall here that there is no provision whatsoever in the mandate of the Special Representative of the Secretary-General for Children and Armed Conflicts to report on situations other than those involving armed conflicts. Resolution 1882 (2009) unmistakably links the situations of concern under that resolution to paragraph 16 of resolution 1379 (2001), which asks the Secretary-General to use the trigger mechanisms in the relevant resolutions to list parties in annexes to his reports in situations of armed conflict that are on the Security Council's agenda or others that, in his opinion and in accordance with article 99 of the Charter of the United Nations, threaten the maintenance of international peace and security. Indeed, the tendency of the former Special Representative of the Secretary-General for Children and Armed Conflicts make her own rules and veer away from her mandate led the Security Council in 2011 to ask the Special Representative of the Secretary-General to brief and report to the Security Council on the criteria and procedures used in listing and delisting parties to armed conflict in the annexes of the periodic reports in the Secretary-General's 2012 report.

Despite a very useful discussion on the subject in the Security Council in February of this year, the Special Representative of the Secretary-General for Children and Armed Conflicts failed to reflect that discussion in the 2012 report, yet another manifestation of failing to give due respect to the views of Member States and the intergovernmental process. Nevertheless, we stand ready to engage in a constructive discussion on the need to respect the legal parameters of that mandate and support the activities associated with it. Pakistan wants to strengthen the political consensus around that mandate to ensure better protection of the rights of children in situations of armed conflict by all stakeholders. It is our sincere hope that the new Special Representative of the Secretary-General for Children and Armed Conflicts will interact closely with all Member States in order to better understand their concerns and restore the needed respect for that mandate. Pakistan has also been constructively engaged in the work of the Working Group on Children and Armed Conflict, under the leadership of Germany, and has contributed to expediting its work in a consensual manner.

Let me also make the following additional points. The primary role of States in child protection should be emphasized. Relevant United Nations agencies and mandate holders can support such efforts within their respective mandates. Reinterpretation of the mandate or any expansion of its scope beyond what is authorized by the Security Council is illegitimate and unacceptable.

As reflected in paragraph 2 (b) of resolution 1612 (2005), cooperation with and the participation of national Governments are indispensible to the implementation of the monitoring and reporting mechanism. Information collected through that mechanism must be accurate, objective, reliable and verifiable. Any dialogue established within that framework by the United Nations with non-State actors must be conducted within the framework of

peace processes where they exist and with the explicit permission of the Governments concerned. Listing and delisting criteria should be objective and balanced. The criteria must be finalized as a priority matter by the Secretary-General in full consultation with Member States.

The issue of persistent perpetrators is of concern to all. Concerned Member States must bring to justice those responsible for such violations through national justice systems and, where applicable, through the use of international justice mechanisms. We stand ready to discuss possible further measures to be taken by the Council to address that genuine concern.

To conclude, let there be no doubt that Pakistan condemns in the strongest possible terms any use of children by extremists or any other group to promote their nihilistic agenda and is taking appropriate action to stop such practices. At the same time, we sincerely hope that future reports of the Secretary-General will be high on objectivity and squarely correspond to the given mandate.

Mr. Manjeev Singh Puri (India): Let me, at the outset, thank you, Mr. President, for organizing today's open debate on the issue of children and armed conflict. I want to congratulate Ms. Leila Zerrougui on her appointment as the new Special Representative of the Secretary-General for Children and Armed Conflicts. We wish her great success and look forward to working closely with her. I would also like to thank our briefers today for their statements.

Children constitute a third of humanity, and, I dare say, the most important third, as they represent our future. Being also the weakest and most susceptible, it is imperative that all of us, nationally and as members of the international community, act for their well-being and development. Situations of armed conflict are per se situations of suffering, but children tend to be the worst affected. We therefore firmly believe that the international community has the responsibility, and indeed the obligation, to do its utmost to provide succor to children affected by armed conflict.

We have engaged constructively in the ongoing efforts to make the United Nations more relevant and effective in the area of children affected by armed conflict. We have also actively engaged in the work of the Working Group on Children and Armed Conflict to address the plight of children in situations on the agenda of the Security Council.

As the largest contributor to United Nations peacekeeping operations over the past six decades, Indian peacekeepers have been at the forefront in creating an environment of peace and security in which national authorities can fulfil their obligations towards the most vulnerable sections of those affected by armed conflict. Based on our wide-ranging experience, we wish to stress that the major challenge is the question of resources. While some members of the international community never tire of pushing to expand the mandate, they are unwilling to provide adequate resources even for meeting the requirements of the agreed mandate.

Since the adoption of resolution 1379 (2001), which brought the issue of children and armed conflict to the Security Council's agenda in 2001, significant progress has been made, and the United Nations deserves credit for the same. However, a lot more remains to be done. As the new Special Representative of the Secretary-General for Children and Armed Conflicts commences her work, we think that it is the right time to take stock of the implementation of the relevant resolutions of the Council and consider the way forward. We are sure that today's debate will provide an opportunity to reflect on the functioning of the United Nations processes and mechanisms, and help us identify gaps and address them.

Let me therefore underscore our key concern, which has also found an echo in the words of several representatives that have spoken before me today. We believe that the earlier this is addressed, the better the result will be for children in armed conflict. This will also rebuild the consensus that the issue has enjoyed so far in this Council and, I might add, that is important.

Paragraph 16 of resolution 1379 (2001) requested the Secretary-General to report on situations that are on the Security Council's agenda or that may be brought to the attention of the Security Council by the Secretary-General, in accordance with Article 99 of the Charter, which in his opinion threaten the maintenance of international peace and security. All subsequent resolutions, including resolution 1882 (2009), which makes reference to other situations of concern, draw their legitimacy from paragraph 16 of 1379 (2001). In spite of that clearly spelled-out mandate, the Secretary-General's reports include situations that do not meet the threshold for being an armed conflict or a threat to the maintenance of international peace and security. The fact that the Legal Counsel also has issues with such referencing should have led to the removal of such

situations, not their continued inclusion with a blasé disclaimer. This should be rectified and the mandate strictly adhered to. Mandate creep also distracts from efforts to urgently address the plight of children in situations of armed conflict that are on the Council's agenda, where lack of resources is the critical problem for the relevant United Nations entities.

The monitoring and reporting mechanism of the United Nations envisaged the involvement of and close cooperation with the country concerned. In addition to ensuring the veracity and reliability of data collection, developing such capacity will significantly assist the country concerned in its fight against impunity and in ensuring accountability. It is also important that United Nations access to armed groups is carried out under the cooperation framework between the United Nations and the Government concerned, in keeping with both the letter and the spirit of the Council's resolutions.

It is important that there be regular and substantive consultation between the Working Group on Children and Armed Conflict and the Special Representative of the Secretary-General on the implementation of the relevant resolutions, including of provisions concerning listing, delisting, persistent perpetrators, impunity and accountability, among others.

In conclusion, let me reiterate India's strong support for the United Nations on issues of children and armed conflict, and reaffirm that we will continue to work closely on this with a view to increasing efficiency, cost effectiveness and the impact of United Nations efforts and those of Member States in dealing with this important issue.

Mr. Briz Gutiérrez (Guatemala) (*spoke in Spanish*): We would like to thank Germany for organizing this open debate. We acknowledge its leadership as Chair of the Working Group on Children and Armed Conflict and on resolution 2068 (2012), which we have adopted today. We appreciate the presence of Ms. Leila Zerrougui and her briefing to us, and we take this opportunity to welcome her appointment as the new Special Representative of the Secretary-General on Children and Armed Conflict. We also appreciate the statements by Mr. Ladsous, Mr. Lake and Mr. Tolbert.

We note that 32 out of 52 parties listed in the annexes to the Secretary-General's report (S/2012/261) are persistent perpetrators. The majority belong to non-State armed groups. This raises the question of discussing ways and means to increase pressure on groups that, by definition, we have difficulty reaching. Such parties to conflict have not been affected by being on the naming and shaming list, they are not accountable for their acts and they do not comply with recognized international rules, human rights law or humanitarian law. They are considered as illegal or criminal within their own countries. In addition, they do not seem to care about their reputation or international image. Many of those non-State armed groups oscillate between acting on political motives and fulfilling criminal objectives. Those doing the latter are even less responsive to incentives and deterrents to change their modus operandi in areas under their control.

We therefore believe that the Council must reaffirm its leadership role and its willingness to act against persistent perpetrators, emphasizing the responsibility of those States on whose territory parties to a conflict persistently commit such crimes against children, in order to put an end to impunity and to prosecute those responsible for violations and abuses against children. We must ensure that those States have specific laws that criminalize war crimes, crimes against humanity and genocide, as well as strengthen the capacity of national institutions to prosecute individuals responsible for committing such crimes, especially persistent perpetrators, or referring those cases to international tribunals. For their part, international tribunals have demonstrated their capacity to deal with crimes committed against children. The judgements against Thomas Lubanga Dyilo and Charles Taylor give us hope that we can take action against the impunity of persistent perpetrators.

Another issue that has been thoroughly discussed is the more frequent use of sanctions. Although we are aware of the difficult issues this raises, we support the idea of monitoring the implementation of the sanctions regime, starting with the four sanctions committees that now have criteria defining serious violations against children, namely, those for Côte d'Ivoire, the Democratic Republic of the Congo, Somalia and the Sudan. Further work is necessary to ensure that sanctions are imposed against individuals or entities who commit grave violations against children. We hope that other sanctions regimes, such as those against Al-Qaida and the Taliban, adopt criteria defining serious violations against children. The imposition of sanctions sends a signal to parties who commit such crimes and contributes to greater compliance with the Council's agenda on children and armed conflict.

We hope that the recently appointed Special Representative of the Secretary-General will continue to further strengthen cooperation with the sanctions committees to take action against persistent perpetrators, include the four serious violations in the mandate of all relevant sanctions committee and continue to inform the Security Council and the Working Group on emerging situations that involve children in armed conflict. We should spare no effort to end the unlawful recruitment and use of children by armed forces and non-State armed groups.

With regard to the Working Group on Children and Armed Conflict, we believe that the issue of persistent perpetrators should be an item in its agenda. The Committee should issue recommendations to ensure that grave violators are accountable for their crimes. However, we do not believe that the Working Group should function as a sanctions committee, since that would fundamentally alter its nature. We would like to encourage the Group to achieve its goal of adopting conclusions within two months, in order to keep the cycle of situations on its work plan within an 18-month period.

In conclusion, Guatemala will continue to be committed to the protection of children in armed conflict and the fight against impunity. Addressing the problem of persistent perpetrators is a challenge. It is of the utmost importance that the protection framework that has been established preserve its credibility by putting an end to unacceptable practices.

The President: I shall now make a statement in my national capacity.

At the outset, I would like to very warmly welcome the new Special Representative of the Secretary-General, Ms. Leila Zerrougui, wish her every success and assure her of Germany's full support to her in her assignment. I also want to pay tribute to the dedicated work of her predecessor, Ms. Radhika Coomaraswamy, and her commitment and great achievements. Let me also thank Mr. Ladsous, Mr. Lake and Mr. Tolbert for their impressive briefings.

Germany aligns itself with the statement to be delivered later on during this debate on behalf of the European Union.

We heard it from our briefers: the number of children suffering in armed conflict is still shockingly high.

This is a reminder for us. We have to increase our joint efforts to stop and prevent heinous crimes committed against children. It has to be said that, since 2005, encouraging progress has been made. Twenty action plans have been signed by parties to conflict. Consequently, tens of thousands of child soldiers have been released. This is a remarkable achievement of which the United Nations and the Security Council can be proud.

The recent convictions of Thomas Lubanga and Charles Taylor have made clear that accountability for the recruitment and abuse of children is advancing. But we must not be complacent. There is still reason for concern. The listings of new parties in the Secretary-General's report (S/2012/261) are proof of the seriousness of the problem. New parties have been listed for the recruitment and use of children and for the killing and maiming of children. There have also been first listings for attacks on schools and hospitals.

What can we do better?

First, we should explore ways to improve the existing protection framework. Child protection and child protection training should be an integral part of all peacekeeping and special political missions. In that regard, we strongly commend the efforts of the Department of Peacekeeping Operations and Department of Political Affairs to develop a joint Child Protection Policy. Child protection issues and, in particular, the release and reintegration of children, need to be systematically included in peace negotiations and agreements.

Secondly, we need to address the issue of accountability. Perpetrators of crimes against children need to be held accountable. This goes especially for the alarming number of so-called persistent perpetrators. The Security Council needs to look at new ways to address the issue. The report of former French Ambassador De la Sablière provides a good overview of possible options. Let me mention just two.

One option that Germany favours is that the Security Council increase its political engagement, for example, through sessions dedicated to the issue. The second option we should pursue is that the Security Council make more use of targeted measures against individual perpetrators through sanctions committees, starting with the expansion of existing sanctions committee mandates. We should take those suggestions forward in our future discussions.

Germany is gratified that the Security Council today once again adopted a resolution (resolution

2068 (2012)) that underlines the importance of the work of the Special Representative of the Secretary-General for Children and Armed Conflict, that reiterates the Council's readiness to adopt targeted and graduated measures against persistent perpetrators, and that authorizes annual reports of the Secretary-General.

It goes without saying that we would have preferred a consensus decision on the resolution we adopted today. We regret that some members chose not to support that resolution. We had one week of extensive discussion, and we, as penholder, made an extra effort to accommodate all delegation's concerns. We walked the extra mile, but we could not do one thing — compromise on the integrity of existing and, so far, accepted mechanisms of the United Nations. That would have been irresponsible. I hope that the wish to strengthen the existing United Nations system to protect children in armed conflicts will unite us all, although a few members might have different opinions on the way forward.

In closing, I would like to reiterate Germany's hope that the Security Council will keep up its good work on this important issue. Our ambitions for this agenda must remain high. We owe it to the children. We owe it to them as the most vulnerable group of our society. We owe it to them to spare no effort in enhancing the protection of their rights in armed conflict.

I now resume my functions as President of the Council.

I wish to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

I now give the floor to the representative of Japan.

Mr. Nishida (Japan): I would like to thank Germany for hosting this open debate on children and armed conflict. Germany has made significant contributions on the issue of children and armed conflict, which include efforts that led to the adoption of the resolution 1998 (2011), and we strongly commend its efforts. The issue is important, not only from the humanitarian perspective of protecting children, but also in terms of peace and security, as the use of child soldiers has tragic consequences. This is why it is extremely important to address the issue at the Security Council.

The Government of Japan warmly welcomes the appointment of Ms. Leila Zerrougui as the new Special Representative of the Secretary-General for Children and Armed Conflict. We also thank the Special Representative; UNICEF Executive Director, Mr. Anthony Lake; Under Secretary-General for Peacekeeping Operations Mr. Hervé Ladsous; and President of the International Center for Transitional Justice, Mr. David Tolbert, for their briefings.

The latest report of the Secretary-General (S/2012/261) includes attacks on schools and hospitals as a listing criterion for the annex I and II lists, and the Government of Japan welcomes this development. Attacks on and unjust occupation of these facilities not only invite the killing and maiming of children, but also deprive children of their right to an education and prevent them from accessing health services, which can have long-term repercussions on society. Such acts must cease immediately.

I would like to focus on the issue of persistent perpetrators and the fight against impunity. It is our grave concern that the number of persistent perpetrators has increased drastically according to the latest Security-General report. Currently, some, though not all, sanctions committees have designation criteria for grave violations against children; however, the De La Sablière report presents various in-depth options to address the issue, including the creation of a thematic sanctions committee. The Security Council should assess the viability of those options and exercise practical measures against persistent perpetrators; otherwise, the annex lists will be at risk of losing substance.

The role of judicial organizations is also very critical. This year, the Special Court for Sierra Leone found Charles Taylor guilty for such crimes as the recruitment and use of child soldiers. This is a significant advancement in the fight against impunity. Also, the International Criminal Court (ICC) found Thomas Lubanga guilty of the war crime of conscripting and enlisting children or using them to participate actively in hostilities during domestic conflicts in the Democratic Republic of the Congo. This is a milestone sentence in strengthening the rule of law, given that it is the first sentence since the establishment of the ICC 10 years ago.Furthermore, let me underscore that the Security Council, which is authorized to refer a case to the ICC, and the ICC, which conducts the investigation, prosecution and trial, need to deepen

substantive dialogue between each other, collaborate more constructively and build a relationship where each is accountable to the other.

More than a decade has passed since the issue of children and armed conflict was included in the Security Council agenda in 1998. From those discussions we saw emerge a series of structural developments, including the creation of the annex lists and action plans. It is now necessary that we implement those mechanisms.

In that regard, the Government of Japan welcomes the signing, in June, of an action plan for the release and reintegration of children associated with the Government forces in Myanmar, as well as the signing, in July, of an action plan by the Somali Transitional Federal Government to end the recruitment and use of children. We also highly commend the efforts of former Special Representative Radhika Coomaraswamy in conducting a number of field trips to hold dialogues with various parties and bring about tangible results.

Japan was a sponsor of resolution 2068 (2012), and we welcome its adoption.

The President: I now give the floor to the representative of Brazil.

Mrs. Dunlop (Brazil): I congratulate you, Mr. President, for convening this debate.

I would like to thank Under-Secretary-General Hervé Ladsous for his briefing. I also convey to Special Representative Leila Zerrougui our best wishes in her new and very demanding job and thank her for her presentation. I am also grateful to Mr. Anthony Lake and Mr. David Tolbert for their informative remarks.

Attacks on children hurt the most vulnerable in any armed conflict, and severely impact precisely those who are key to fostering sustainable peace. The international community needs to persevere in finding ways to prevent children from bearing the brunt of wars that adults choose to fight.

The Council has established a comprehensive framework to protect children in situations of armed conflict. The concrete results achieved through tools such as the monitoring and reporting mechanism and the Working Group on Children and Armed Conflict must both be commended.

As indicated in the latest report of the Secretary-General (S/2012/261), we have recently witnessed significant steps towards greater accountability for perpetrators of grave violations against children. The verdict of the International Criminal Court condemning Thomas Lubanga sent a powerful message to those who commit crimes against children in armed conflict. It attests to the international determination to fight impunity and bring to justice those who commit such horrific crimes. The increase in the number of sanctions regimes that include designation criteria governing grave violations against children also shows that the Council is committed to acting against perpetrators when their actions pose a threat to international peace and security.

Although children have particular needs and vulnerabilities, the development of a specific legal regime for the protection of children in armed conflict must remain within the scope of broader international humanitarian law and should be consistent with other legal mechanisms aimed at protecting civilian populations as a whole.

In 2010, as Chair of the Sanctions Committee on the Democratic Republic of the Congo, Brazil organized the first briefing ever to such a committee by a Special Representative for Children and Armed Conflict. We were guided by Brazil's firm belief that improving cooperation between the Office of the Special Representative of the Secretary-General and relevant sanctions committees would strengthen the Council's response to persistent perpetrators.

However, the Council should be careful when considering coercive measures in the field of children and armed conflict in contexts for which no sanctions regime exists. As we all know, measures under Chapter VII of the Charter can be adopted only in cases that constitute a threat to international peace and security, as determined by the Security Council. It is therefore a matter of concern for Brazil that some situations that are not armed conflicts are being mentioned in reports on children and armed conflict.

While we strive to improve accountability for grave violations committed against children in conflict situations, attention should also be given to the imperative of ensuring that States receive resolute support and cooperation for strengthening the rule of law.

We often hear calls for the Council to take bolder decisions. The plight of innocent children surely amplifies that call. Nonetheless, we must avoid the

temptation to associate "bolder decisions" with a merely punitive approach.

There is only so much that can be achieved through naming and shaming mechanisms and the imposition of sanctions. We must not lose sight of the importance of cooperating with Governments and parties to conflicts in order to find sustainable solutions for the protection of children.

In the same spirit, Brazil fully endorses the Secretary-General's call for support to the sustainable, long-term reintegration needs of children in the context of the implementation of action plans, including economic reintegration. To ensure that children affected by conflict are able to participate in efforts to build peaceful and prosperous societies, we need to offer them the opportunity to be fully reintegrated.

Furthermore, as rightly pointed out by the former Special Representative of the Secretary General in her last annual report to the Human Rights Council (A/HRC/21/38), it is also necessary to tackle the structural causes that lead to the recruitment of children by armed groups. Evidence suggests that there is a strong association between recruitment into armed forces and poverty. In fact, social exclusion has been found to stir frustration among youth and to create significant incentives to join armed groups.

Improving children's living conditions and providing them with alternatives, particularly through education, can significantly contribute to preventing their recruitment by armed groups, thereby breaking the vicious cycles of conflict.

The President: I now give the floor to His Excellency Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

Mr. Mayr-Harting (European Union): I have the honour to take the floor on behalf of the European Union and its member States. The acceding country Croatia, the candidate countries the former Yugoslav Republic of Macedonia, Montenegro and Serbia, the countries of the Stabilization and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova, Armenia and Georgia, align themselves with this statement.

Let me begin by thanking you, Mr. President, and the German presidency for organizing this very important debate and for the leadership you have constantly shown on this issue. The European Union is very grateful for Germany's efforts, initiatives and continuous endeavours, including in the Security Council Working Group that you, Sir, chair.

Allow me to use this opportunity to express our appreciation to former Special Representative of the Secretary-General Radhika Coomaraswamy for her highly esteemed work. Her relentless effort has contributed immensely to the progress we witnessed during her mandate. I would also like to warmly welcome the new Special Representative, Ms. Leila Zerrougui, and to assure her of the full support of the European Union.

The annual report of the Secretary General on children and armed conflict (S/2012/261) reminds us of the importance of the Security Council's work on that issue, which we highly appreciate. We have seen continuous progress in many aspects and different regions — for example, through the conclusion of several action plans leading to the release and subsequent reintegration of children. Still, we have also witnessed deterioration in other places, such as Syria, where many children are among the victims of egregious crimes and where the tremendous suffering of girls and boys has been going on for much too long. As long as children still suffer from armed conflict, we are reminded that we have to further intensify our work.

It is of special significance to us that for the first time the Secretary-General included attacks on schools and hospitals in his annual report, in accordance with the expanded list of triggers from last year's ground-breaking resolution 1998 (2011). That expansion of triggers and their effective implementation means concrete progress for the instruments at the disposal of the Security Council's Working Group, thereby contributing effectively to improving the situation for the children concerned.

The reports of the Secretary-General and the Special Representative of the Secretary-General on Children and Armed Conflict also illustrate the severe problem of persistent perpetrators — an issue that increasingly needs our particular attention. While it is essential to continuously name the relevant conflict parties, the Security Council also has to look for effective ways to take action, combat impunity and prove that the 32 persistent perpetrators currently listed will eventually be held accountable for their heinous crimes, including by imposing targeted sanctions. Let us not accept impunity. Encouraging steps have been

taken by the International Criminal Court, for example by the recent judgment in the Lubanga trial on the war crime of conscripting and enlisting children under the age of 15 and making them participate actively in hostilities.

The recommendations of the former Permanent Representative of France to the United Nations, Ambassador De la Sablière, upon the request of the Special Representative, provide interesting food for thought in this context. The toolbox of the Security Council's Working Group needs to be applied, with effective links between the Working Group, the Special Representative of the Secretary-General and the existing sanctions committees. Especially when establishing or renewing the mandate of relevant sanctions regimes, it should be considered to include provisions against parties to armed conflict that engage in activities in violation of applicable international law relating to the rights and protection of children in armed conflict. Dialogue and increased political pressure and cooperation with national and international courts will also be important. Furthermore, we encourage the Council to regularly invite the Special Representative to provide briefings on situations of armed conflict that affect children.

The implementation of existing commitments is crucial. Let me update the Council on some of the steps taken by the European Union to contribute to our common goal. High Representative Ashton has named the rights of the child as one of the three priorities in her joint communication on human rights. Consequently, the EU is systematically including child protection issues in all EU foreign policy missions, operations and training ,and has committed to further step up its implementation. The European Union has spent €200 million in 2009-2012 on assistance to children and armed conflict in the countries listed in the Secretary-General's report. To cite just one example, the EU's police mission in Afghanistan provided training on child protection, and in the Democratic Republic of the Congo the European Union has cooperated with the United Nations and local police in child protection and juvenile justice projects.

The humanitarian work of the EU also aims at protecting children in conflict-affected areas. We continue to strongly support the universal ratification of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography. Those are just some of the examples of our dedication in this field.

Far too many children in too many parts of the world still suffer every day from the effects of armed conflict or are directly involved as child soldiers. Children should attend school, play with their peers and be able to enjoy their childhood without suffering from the effects of war and armed conflict. Let us do our outmost to further improve their lives by intensifying the use of the instruments at the disposal of the Security Council.

The President: There are still a number of speakers remaining on my list for this meeting. I intend, with the concurrence of the members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.20 p.m.